

# TOWN OF FORT FRANCES

## Committee of Adjustment

### AGENDA - December 19, 2019 5:30 PM

#### MEETING - Civic Centre - Committee Room

	Page
1. <b><u>Call to Order</u></b>	
2. <b><u>Non-agenda items</u></b>	
3. <b><u>Declarations, Municipal Conflict of Interest Act</u></b>	
4. <b><u>Minutes of Previous Meetings</u></b>	
4.1 August 7, 2019	2 - 3
5. <b><u>Committee Applications</u></b>	
5.1 A6-2019: Minor Variance at 415 Third Street West	4 - 14
5.2 A7-2019: Minor Variance at 1353 Idylwild Drive	15 - 26
6. <b><u>New Items</u></b>	
6.1 Official Plan & Zoning By-Law Amendments - Secondary Dwelling Units	27 - 58
6.2 Zoning By-Law Amendments - Brewery Definitions and Provisions	59 - 63
7. <b><u>Other Business</u></b>	
8. <b><u>Meeting Close</u></b>	

## TOWN OF FORT FRANCES

### MINUTES

### COMMITTEE OF ADJUSTMENT

August 7, 2019

The meeting of Committee of Adjustment of the Town of Fort Frances was held in the Civic Centre - Committee Room on August 7, 2019 from 5:27 p.m. to 6:13 p.m.

**PRESENT:** Gary Rogozinski, Chairperson, Charleen Mallory, Barry Jackson, Donald Taylor, Don Eldridge and Cindy Mason

**ALSO PRESENT:** E. Slomke, Clerk / Interim Municipal Planner, C. Vangel, CBO / Municipal Planner, Adam & Danielle Mitchell, Mike Belluz, Lawrence G. Phillips.

#### **1. Call to Order**

5:27pm

#### **2. Non-agenda items - None.**

#### **3. Declarations, Municipal Conflict of Interest Act**

Donald Taylor declared a conflict with item 5.3

Charleen Mallory declared a conflict with item 5.3

#### **4. Minutes of Previous Meetings**

##### **4.1 June 26, 2019**

- Approved as presented.

Moved by Charleen Mallory, seconded by Barry Jackson.

#### **5. Committee Applications**

##### **5.1 A4-2019 (838 Huffman Court) - A minor variance application for permission to reduce front yard setback and increase maximum lot coverage.**

- Adam Mitchell and Danielle Gustafson-Mitchell provided verbal summary of their application.
- Committee of Adjustment engaged in a lengthy discussion and denied the front yard set back, and further approved an increase to the lot coverage of 43.5%.

Moved by Don Eldridge, seconded by Charleen Mallory.

##### **5.2 A5-2019 (1530 King's Highway) - A minor variance application for relief of Parking Area Regulations section 3.20 of Zoning By-law.**

- Mike Belluz provided verbal summary of application.
- Committee of Adjustment briefly discussed application, and granted relief.

Moved by Charleen Mallory, seconded by Cindy Mason.

##### **5.3 B6-2019 (1408 Eighth Street East) - An application for site specific zoning by-law amendment to change the zoning from Institutional to Residential and to remove the H symbol (holding provision) which will permit the development of the land for a single family residence.**

- Donald Taylor and Charleen Mallory declared a conflict with this matter, they did not speak nor vote.
- Lawrence G. Phillips provided verbal summary of application.
- Committee of Adjustment discussed the application and will provided recommendation to council to approved the zoning by-law amendment and remove the "H" symbol from 1408 Eighth Street East.

Moved by Cindy Mason, seconded by Don Eldridge.

#### **6. Outstanding Items - None.**

**7. Other Business**

- 7.1 Code of Conduct / Integrity Commissioner
  - Document received by all Committee members.
- 7.2 Training Session - September 18 at 12 noon  
Code of Conduct / Integrity Commissioner

**8. Meeting Close**

- 8.1 The meeting closed at 6:13pm.

\_\_\_\_\_  
Chair, Committee of Adjustment

\_\_\_\_\_  
C. Vangel, Municipal Planner  
Committee Secretary

# APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

For applying under Section 45 of the Planning Act, R.S.O., 1990 (as revised)

It is the responsibility of the owner or authorized agent to provide complete and accurate information. This form will not be accepted as an application until such time as all questions have been answered and all requirements have been met in the manner requested herein. Please read the following carefully:

FOR OFFICE USE ONLY	
FEE	FILE NO.
\$317.65	A6/2019
PAYMENT RECEIPT STAMP	
NOV 04 2019	
PER 41685	
ONTARIO	

PROPERTY INFORMATION	
Property Address	415 Third St. W.
Tax Roll No.	59 - 12 - 010 - 003 - 04300
Legal Description	PSM29 Lot 53 PCL 5500
OWNER/APPLICANT INFORMATION	
Registered Owner(s)	Selena morris
Application Contact	Selena morris / Bill Daley.
Full Mailing Address	415 3rd St W. Fort Frances ON P9A 3A8
Telephone	(807) 276-3124 or (807) 275-5533
Email	cupplatel@hotmail.com
AGENT INFORMATION (if applicable)	
Company Name	
Application Contact	
Full Mailing Address	
Telephone	
Email	
Note – All communication will be sent to Application Contact unless otherwise requested	
MORTGAGEES, HOLDERS OF CHARGES OR OTHER ENCUMBRANCES	
Institution	CIBC
Contact/Reference	
Full Mailing Address	203 Scott St. Fort Frances ON P9A 1G8
Telephone	(807) 274-5391
Email	

- Describe the nature and extent of relief applied for (indicate what the by-law requirement is, the relevant section of the by-law, and what you are proposing):

Section 4.4.2.c) of Zoning by-law – to permit

Seeking side yard relief for sunroom addition.

Current zoning by-law requires 1.5m.

Seeking side yard relief to 0.99m.



2. Why is it not possible to comply with the provisions of the by-law? (Provide an explanation of the circumstances that hinder or restrict your ability to comply)
- The proposed addition would be too small and not feasible without the proposed relief.
3. When did the current owner acquire the Property? 2016
4. Provide the date of construction for all buildings and structures on the Property.
- Initial construction date unknown
  - Addition (12'x40') complete in 1996
5. What is the existing use of the Property? Single detached dwelling
6. How long has the existing use of the Property continued? Since existing construction
7. What is the existing use of the abutting properties?
- | North                                 | South                     | East                      | West                     |
|---------------------------------------|---------------------------|---------------------------|--------------------------|
| Street, then Single detached dwelling | laneway, then Vacant land | laneway, then Vacant land | Single detached dwelling |
8. Dimensions of the Property:
- | Property Dimensions | Metric                 | Imperial              |
|---------------------|------------------------|-----------------------|
| Frontage:           | 15.24m                 | 50'                   |
| Depth:              | 36.576m                | 120'                  |
| Area:               | 557.418 m <sup>2</sup> | 6,000 Ft <sup>2</sup> |

9. **Building/Structure Particulars**  
Describe the particulars (in metric) of all buildings and/or structures existing and proposed for the Property.

Main Building:	Existing	Proposed
Ground Floor Area:	119.657 m <sup>2</sup>	133.035 m <sup>2</sup>
Width:	9.7536 m	
Length:	12.268 m	
# of Storeys:	One	One

Location of Building/Structure – Check geographic direction of Side Yard Setbacks

Front Yard:	7.01 m	7.01 m
Rear Yard:	15.621 m	15.621 m
North <input type="checkbox"/> or East <input checked="" type="checkbox"/> - Side Yard:	1.6 m	0.99 m
South <input type="checkbox"/> or West <input checked="" type="checkbox"/> - Side Yard:	2.057 m	2.057 m

Accessory Building:	Existing	Proposed
Ground Floor Area:		
Width:		
Length:		
# of Storeys:		
Height:		
Distance to Main Building:		

Location of Building/Structure - Check geographic direction of Side Yard Setbacks

Front Yard:		
Rear Yard:		
North <input type="checkbox"/> or East <input type="checkbox"/> - Side Yard:		
South <input type="checkbox"/> or West <input type="checkbox"/> - Side Yard:		

Note – Above information to match Site Plan

10. Check the appropriate box to Indicate connected or available services to the Property:

Source of Service:	Municipal	Private
Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sanitary Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Storm Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(in laneway)  
↳ Southwest

**APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION**

For applying under Section 45 of the Planning Act, R.S.O., 1990 (as revised)

11. Check the appropriate box to indicate access to the Property:
- | Source of Access: | Yes     | No |
|-------------------|---------|----|
| Municipal Road    | ✓       |    |
| Other Public Road | Laneway |    |
| Water Access Only |         | ✓  |
12. What is the Official Plan designation of the Property? Living
13. What is the Zoning of the Property? R1
14. Has the Owner ever applied for a minor variance or permission regarding the Property?  
Yes ☐ No ☒ If Yes, provide details, including file number, date, decision, etc.
15. Is the Property the subject of a current application for consent under section 53 of the Planning Act, 1990, as revised? Yes ☐ No ☒ If Yes, provide details, including file number, date, etc.
16. **DECLARATION**

I/We, Selena Morris solemnly declare that all the statements contained in this application are true and make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the Town of Fort

Frances, in the District of Rainy River this

4<sup>th</sup> day of November, 2019.

Elizabeth Slomke  
A Commissioner, etc.

**Elizabeth Slomke, a Commissioner, etc.,  
District of Rainy River, for the Corporation  
of the Town of Fort Frances.**

Selena Morris  
(Signature of Owner or Agent)

(Signature of Owner or Agent)

17. A sketch showing the following:

- i. The boundaries and dimensions of the subject land.
- ii. The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- iii. The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- iv. The current uses on land that is adjacent to the subject land.
- v. The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way.
- vi. If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- vii. the location and nature of any easement affecting the subject land.

## OWNER'S AUTHORIZATION, ACKNOWLEDGMENT & CONSENT

(Must be signed by **each Owner** – print more copies as required)

I, Selene Morris, am an Owner of the property known as 415 3rd St. W in the Town of Fort Frances, that is the subject of this Application, and hereby

### Authorize Agent to Act (if applicable):

1. Authorize and instruct \_\_\_\_\_ to act as my Agent and make this application on my behalf.

### Freedom of Information:

2. Acknowledge that the information collected in this application is collected under the authority of The Planning Act, R.S.O. 1990, Chapter P13, as amended to assist in the processing of the application and will become part of a public record and, for the purposes of the Freedom of Information and Protection of Privacy Act, authorize and consent to the use by or the disclosure to, any person or public body of any personal information.
3. Acknowledge that full copies of the application are provided to the members of the Committee of Adjustment and as a result, **any information contained in it** is made public.

### Right to Enter Premises:

4. Authorize the members of the Committee of Adjustment and/or staff of The Town of Fort Frances as may be required, to enter upon the lands and premises identified in section 5 that are the subject of this application for the purpose of evaluating the merits of this application and for so doing, this shall be good and sufficient authority; and

### Consent re Meeting:

5. Consent to the application herein being considered at the next regular meeting of the Committee of Adjustment notwithstanding that section 45 of the Planning Act requires they be heard within thirty days after the secretary-treasurer receives the completed application.

Selene Morris  
Owner Signature

Nov 5 / 19.  
Date

\_\_\_\_\_  
Owner Signature







Fifth Street West



Fourth Street West



Third Street West



Second Street West







**Town of Fort Frances**  
320 Portage Avenue  
Fort Frances Ontario P9A 3P9

# RECEIPT OF PAYMENT

Page 1

SELENA MORRIS/BILL DALEY  
MINOR VARIANCE

Receipt Number: 41685  
Tax Number: HST #106984586 RT0001  
Date: November 4, 2019  
Initials: WK

Type	Account / Ref. #	Description	Quantity	Discount	Amount Paid	Balance Remaining
General	GL	Planning Application Fees	1	\$0.00	\$317.15	N/A
Subtotal:					\$317.15	
Taxes:					\$0.00	
Total Receipt:					\$317.15	
Cash:					\$320.00	
Total Amount Received:					\$320.00	
Rounding:					\$0.00	
Amount Returned:					\$2.85	



## Cody Vangel

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**From:** Troy Calder  
**Sent:** Wednesday, November 13, 2019 3:27 PM  
**To:** Cody Vangel; Craig Miller; Travis Rob; Joerg Ruppenstein; Tyler Moffitt; Lisa Slomke  
**Subject:** Re: Minor Variance Application A6-2019

Good day Cody,  
FFPC have no concerns with with this application.  
Have a great day

Troy Calder  
General Superintendent  
Fort Frances Power Corporation  
807-275-9292

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**From:** Cody Vangel  
**Sent:** Tuesday, November 12, 2019 3:40 PM  
**To:** Craig Miller; Travis Rob; Joerg Ruppenstein; Tyler Moffitt; Troy Calder; Lisa Slomke  
**Subject:** Minor Variance Application A6-2019

Hi All,

Please see attached documents for minor variance application A6-2019 requesting an east side yard setback reduction from 1.5m to 0.99m at 415 Third Street West.

Please provide comments back by Tuesday November 26, 2019.

Thank you,

Cody Vangel EIT  
CBO Trainee/Municipal Planner  
Town of Fort Frances  
P: 807.274.5323 ext. 1216  
C: 807.271.0604

## Cody Vangel

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**From:** Travis Rob  
**Sent:** Sunday, November 24, 2019 8:07 PM  
**To:** Cody Vangel  
**Subject:** RE: Minor Variance Application A6-2019

Hi Cody,

The Operations and Facilities Division has reviewed the application and have the following comments:

- No issue with the proposed development

Regards,

Travis

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Travis Rob P.Eng.  
Manager of Operations & Facilities  
Town of Fort Frances  
P: (807)274-9893 ext 1316  
C: (807)275-9757

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**From:** Cody Vangel <cvangel@fortfrances.ca>  
**Sent:** Tuesday, November 12, 2019 3:40 PM  
**To:** Craig Miller <cmiller@fortfrances.ca>; Travis Rob <trob@fortfrances.ca>; Joerg Ruppenstein <jruppenstein@fortfrances.ca>; Tyler Moffitt <tmoffitt@fortfrances.ca>; Troy Calder <tcalder@fortfrances.ca>; Lisa Slomke <lslomke@fortfrances.ca>  
**Subject:** Minor Variance Application A6-2019

Hi All,

Please see attached documents for minor variance application A6-2019 requesting an east side yard setback reduction from 1.5m to 0.99m at 415 Third Street West.

Please provide comments back by Tuesday November 26, 2019.

Thank you,

Cody Vangel EIT  
CBO Trainee/Municipal Planner  
Town of Fort Frances  
P: 807.274.5323 ext. 1216  
C: 807.271.0604

It is the responsibility of the owner or authorized agent to provide complete and accurate information. This form will not be accepted as an application until such time as all questions have been answered and all requirements have been met in the manner requested herein. Please read the following carefully:

- APPLICATION:** One copy of the application is to be submitted to the Office of the Municipal Planner/Secretary-Treasurer of the Committee of Adjustment. Information to be provided is as set out in Ontario Regulation #200/96 of the Planning Act, R.S.O. 1990 (as revised). Therefore all questions must be answered in full detail or the application will not be accepted for processing.
- FEE:** The fee as set out in section 2.18 of User Fee By-Law # 48/14 is \$309.10. Payment is accepted in cash, cheque or debit and are payable to the Town of Fort Frances.
- OWNERSHIP:** Proof of Ownership is to accompany each application. Acceptable proof includes copy of current tax bill, deed or parcel register, etc. If more than one person own the subject lands, the application must be submitted under all names, and all parties are required to sign either the application form or an Authorization Form.
- AUTHORIZATION:** All agents must file an Authorization Form signed by all registered owners when filing on their behalf. All owners and/or agents must sign the Declaration as well. Failure to comply with this requirement will result in a delay.
- COMMISSIONERS' SIGNATURE:** All applications MUST be signed before a Commissioner for taking Oaths. If more than one owner, all owners or the authorized agent must sign before the Commissioner. The Clerk, Deputy-Clerk and Treasurer are Commissioners for Taking Oaths.
- PLANS:** All drawings submitted must be clear and legible and must show the following:
- a. The boundaries and dimensions of the subject land
  - b. The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from all lot lines, as well from each other.
  - c. The approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks, etc.
  - d. The current uses on the land that is adjacent to the subject land.
  - e. The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or right of way.
  - f. If access to the subject land is by water only, the location of the parking and docking facilities to be used.
  - g. The location and nature of any easement affecting the subject land.

If full size drawings are submitted, a copy reduced to no less than 8½" x 14" is also required and must be suitable for reproduction. Completed applications will also be accepted in PDF format.

Applicant shall be present or have representation during the meeting to allow for any questions by the Committee of Adjustment to be answered. Conference call will be made available if needed.

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It is the responsibility of the owner or authorized agent to provide complete and accurate information. This form will not be accepted as an application until such time as all questions have been answered and all requirements have been met in the manner requested herein. Please read the following carefully:

PROPERTY INFORMATION	
Property Address	1353 Idylwild Drive
Tax Roll No.	59 - 12 - 030 - 007 - 20100
Legal Description	PLAN SM88 W PT LOT 26 PCL 26;-2, E 33' LOT 26 PCL 26-4
OWNER/APPLICANT INFORMATION	
Registered Owner(s)	Doug & Linda Kitowski
Application Contact	Doug & Linda Kitowski
Full Mailing Address	1353 Idylwild Drive, Fort Frances Ontario, P9A 3M3
Telephone	807-274-3876
Email	lindadoug@tbaytel.net
AGENT INFORMATION (if applicable)	
Company Name	
Application Contact	
Full Mailing Address	
Telephone	
Email	
Note – All communication will be sent to Application Contact unless otherwise requested	
MORTGAGEES, HOLDERS OF CHARGES OR OTHER ENCUMBRANCES	
Institution	N/A
Contact/Reference	
Full Mailing Address	
Telephone	
Email	

FOR OFFICE USE ONLY	
FEE	FILE NO.
\$317.15	A7 / 2019
PAYMENT RECEIPT STAMP	
TOWN OF FORT FRANCES	
PAID	
NOV 28 2019	
PER 42341	
ONTARIO	

- Describe the nature and extent of relief applied for (indicate what the by-law requirement is, the relevant section of the by-law, and what you are proposing):

Section \_\_\_\_ of Zoning by-law – to permit

Gazebo Relocation: Section 3.2.c) Section 3.2.d) and Section 3.2.f)  
Seeking permission to allow gazebo in front yard and reduced lot line setback from 1.5m to 1.372m

Covered Porch Relief in Relation To Accessory Building: Section 3.2.g)  
Seeking permission to allow covered porch the encroach on accessory building (garage) from 2.0m to 1.727m

2. Why is it not possible to comply with the provisions of the by-law? (Provide an explanation of the circumstances that hinder or restrict your ability to comply)
- Gazebo: The town is advising that the placement for the gazebo requires relief from the front yard set back. Also the requested placement site allows for a better breeze and street view and we feel no neighbours will be affected by this location.
- Covered Porch: Looking for a shaded spot for an outdoor dining area. If we placed the supporting column in the regulated spot, the new post would have to place in the center of the kitchen window. The work cost to place the column within the allowed regulation would mean the current kitchen window would have to be removed, a new header installed and then the cost to remove the current kitchen wall, not to mention the roof line change would not be cost effective - approx \$8 to \$10 thousand dollars, almost a new kitchen remodel.
3. When did the current owner acquire the Property? Approximately 1967
4. Provide the date of construction for all buildings and structures on the Property.
- Dwelling was constructed in 1959  
Garage constructed in 1995
5. What is the existing use of the Property? Single family home
6. How long has the existing use of the Property continued? 60 years
7. What is the existing use of the abutting properties?
- | North                | South              | East               | West              |
|----------------------|--------------------|--------------------|-------------------|
| Float plane air base | Single family home | Single family home | Vacant land (CFN) |
8. Dimensions of the Property:
- | Property Dimensions | Metric       | Imperial     |
|---------------------|--------------|--------------|
| Frontage:           | 30.388 m     | 99.7 feet    |
| Depth:              | 30.175 m     | 99.0 feet    |
| Area:               | 916.958 sq.m | 9870.3 sq.ft |



9. **Building/Structure Particulars**  
Describe the particulars (in metric) of all buildings and/or structures existing and proposed for the Property.

Main Building:	Existing	Proposed
Ground Floor Area:	109.254	156.82
Width:	12.802	17.678
Length:	8.534	N/A
# of Storeys:	1	1
Location of Building/Structure – Check geographic direction of Side Yard Setbacks		
Front Yard:	9.144	7.772
Rear Yard:	12.497	N/A
North <input checked="" type="checkbox"/> or East <input type="checkbox"/> - Side Yard:	1.524	N/A
South <input checked="" type="checkbox"/> or West <input type="checkbox"/> - Side Yard:	16.063	11.085
<b>Accessory Building: GARAGE</b>	<b>Existing</b>	<b>Proposed</b>
Ground Floor Area:	66.89	N/A
Width:	9.144	N/A
Length:	7.315	N/A
# of Storeys:	1	N/A
Height:	+/- 4.267	N/A
Distance to Main Building:	5.283m	1.727m
Location of Building/Structure - Check geographic direction of Side Yard Setbacks		
Front Yard:	19.507	N/A
Rear Yard:	1.524	N/A
North <input checked="" type="checkbox"/> or East <input type="checkbox"/> - Side Yard:	21.549	N/A
South <input checked="" type="checkbox"/> or West <input type="checkbox"/> - Side Yard:	1.524	N/A

Note – Above information to match Site Plan

10. Check the appropriate box to Indicate connected or available services to the Property:

Source of Service:	Municipal	Private
Water	YES	
Sanitary Sewer	YES	
Storm Sewer	YES	

9. **Building/Structure Particulars**  
Describe the particulars (in metric) of all buildings and/or structures existing and proposed for the Property.

Main Building:	Existing	Proposed	
Ground Floor Area:			
Width:			
Length:			
# of Storeys:			
Location of Building/Structure – Check geographic direction of Side Yard Setbacks			
Front Yard:			
Rear Yard:			
North <input type="checkbox"/> or East <input type="checkbox"/> - Side Yard:			
South <input type="checkbox"/> or West <input type="checkbox"/> - Side Yard:			
Accessory Building: <b>GAZEBO</b>	Existing	Proposed	
Ground Floor Area:	153.94		
Width:	4.267		
Length:	4.267		
# of Storeys:	1		
Height:	3.65m		
Distance to Main Building:	2.083	2.083	
Location of Building/Structure - Check geographic direction of Side Yard Setbacks			
Front Yard:	7.5	1.372	
Rear Yard:	18.415	24.536	
North <input checked="" type="checkbox"/> or East <input type="checkbox"/> - Side Yard:	14.326	14.326	
South <input checked="" type="checkbox"/> or West <input type="checkbox"/> - Side Yard:	11.796	11.796	

Note – Above information to match Site Plan

10. Check the appropriate box to Indicate connected or available services to the Property:

Source of Service:	Municipal	Private
Water		
Sanitary Sewer		
Storm Sewer		

11. Check the appropriate box to indicate access to the Property:
- | Source of Access: | Yes | No |
|-------------------|-----|----|
| Municipal Road    | YES |    |
| Other Public Road |     | NO |
| Water Access Only |     | NO |
12. What is the Official Plan designation of the Property? LIVING
13. What is the Zoning of the Property? R1
14. Has the Owner ever applied for a minor variance or permission regarding the Property?  
Yes ☐ No ☒ If Yes, provide details, including file number, date, decision, etc.
15. Is the Property the subject of a current application for consent under section 53 of the Planning Act, 1990, as revised? Yes ☐ No ☒ If Yes, provide details, including file number, date, etc.
16. **DECLARATION**

I/We, LINDA KITOWSKI solemnly declare that all the statements contained in this application are true and make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the Town of Fort  
Frances, in the District of Rainy River this

28 day of NOV, 2019.  
Elizabeth Slomke  
A Commissioner, etc.

L. Kitowski  
(Signature of Owner or Agent)

(Signature of Owner or Agent)

**Elizabeth Slomke, a Commissioner, etc.,  
District of Rainy River, for the Corporation  
of the Town of Fort Frances.**



17. A sketch showing the following:

- i. The boundaries and dimensions of the subject land.
- ii. The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- iii. The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- iv. The current uses on land that is adjacent to the subject land.
- v. The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way.
- vi. If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- vii. the location and nature of any easement affecting the subject land.

## OWNER'S AUTHORIZATION, ACKNOWLEDGMENT & CONSENT

(Must be signed by **each Owner** – print more copies as required)

I, LINDA KITOWSKI, am an Owner of the property known as <sup>1353</sup>FOYKWILO DRIVE in the Town of Fort Frances, that is the subject of this Application, and hereby

### Authorize Agent to Act (if applicable):

1. Authorize and instruct \_\_\_\_\_ to act as my Agent and make this application on my behalf.

### Freedom of Information:

2. Acknowledge that the information collected in this application is collected under the authority of The Planning Act, R.S.O. 1990, Chapter P13, as amended to assist in the processing of the application and will become part of a public record and, for the purposes of the Freedom of Information and Protection of Privacy Act, authorize and consent to the use by or the disclosure to, any person or public body of any personal information.
3. Acknowledge that full copies of the application are provided to the members of the Committee of Adjustment and as a result, **any information contained in it** is made public.

### Right to Enter Premises:

4. Authorize the members of the Committee of Adjustment and/or staff of The Town of Fort Frances as may be required, to enter upon the lands and premises identified in section 5 that are the subject of this application for the purpose of evaluating the merits of this application and for so doing, this shall be good and sufficient authority; and

### Consent re Meeting:

5. Consent to the application herein being considered at the next regular meeting of the Committee of Adjustment notwithstanding that section 45 of the Planning Act requires they be heard within thirty days after the secretary-treasurer receives the completed application.

  
\_\_\_\_\_  
Owner Signature

28 NOV 2019  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner Signature



SAULTEAUX CONSULTING &  
ENGINEERING

SITE 206-207 RR#2  
FORT FRANCES, ONTARIO  
P8A 3M3  
1-800-274-1114

BCIN: 43291



1	ISSUED FOR CONSTRUCTION	19/07/24
NO.	DESCRIPTION	DATE
REVISIONS		

KITOWSKI  
RESIDENCE  
ADDITION

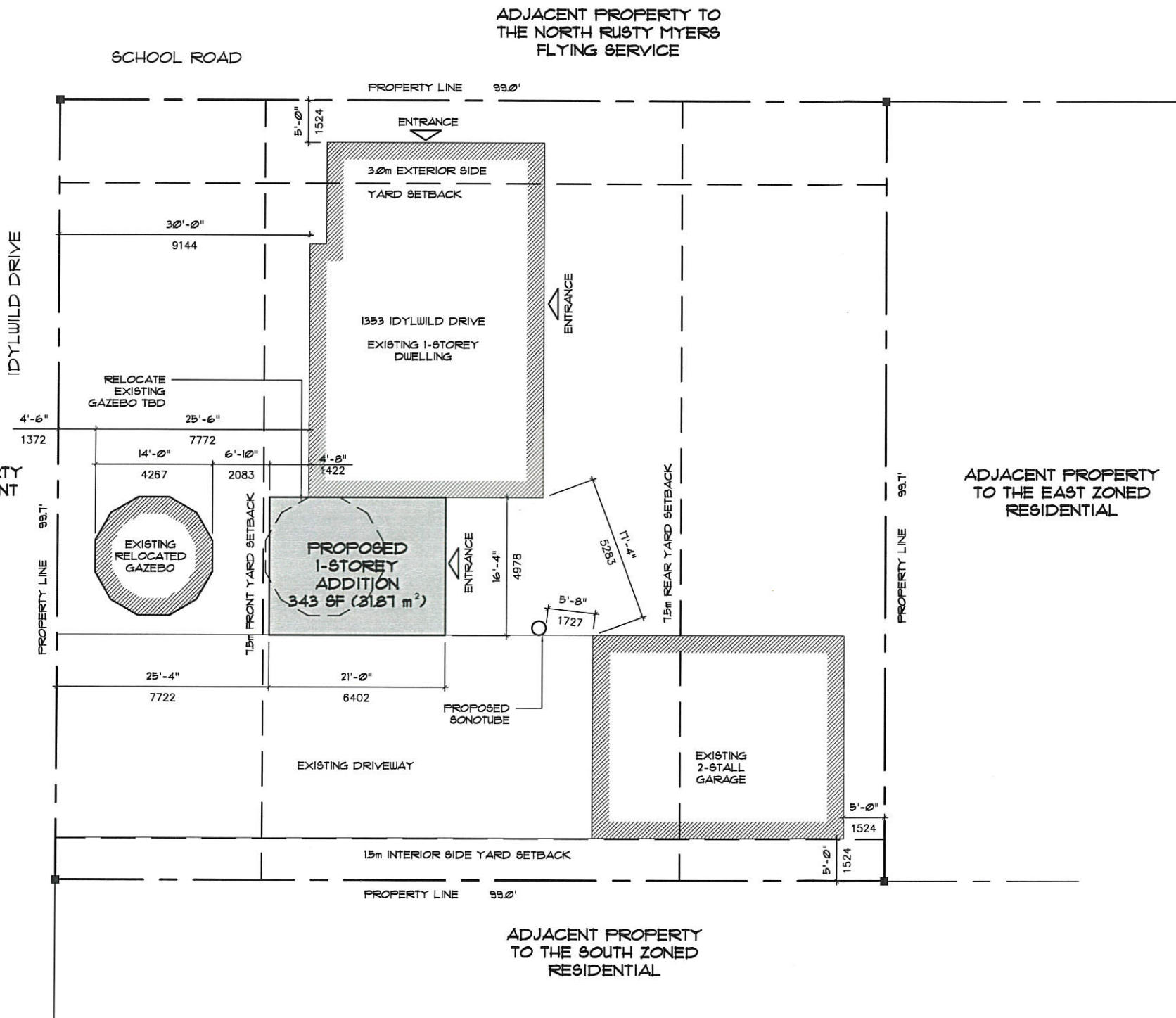
1353 IDYLWILD DR., FORT FRANCES

SHEET TITLE:  
SITE PLAN

SCALE: AS SHOWN  
DRAWN BY: MD  
CHECKED BY: DZ, TB  
PROJECT NO.: 19-031  
REVISION NO.: -  
PROJECT START DATE: 2019-06-19

SHEET NO.

1



2 KEY PLAN  
1 SCALE: NTS

1 SITE PLAN  
1 SCALE: 1/16" = 1'-0"





LINDA KITOWSKI

Receipt Number: 42341

Tax Number: HST #106984586 RT0001

Date: November 28, 2019

Initials: CB

Type	Account / Ref. #	Description	Quantity	Discount	Amount Paid	Balance Remaining
General	GL	Planning Application Fees	N/A	\$0.00	\$317.15	N/A
Subtotal:					\$317.15	
Taxes:					\$0.00	
Total Receipt:					\$317.15	
Debit:					\$317.15	

Total Amount Received:	\$317.15
Rounding:	\$0.00
Amount Returned:	\$0.00



## Cody Vangel

---

**From:** Travis Rob  
**Sent:** Friday, December 6, 2019 10:25 AM  
**To:** Cody Vangel  
**Subject:** RE: Minor Variance Application A7-2019

Good Morning Cody,

The Operations and Facilities Division has reviewed the application package and have no concerns.

Regards,

Travis

---

Travis Rob P.Eng.  
Manager of Operations & Facilities  
Town of Fort Frances  
P: (807)274-9893 ext 1316  
C: (807)275-9757

---

**From:** Cody Vangel <cvangel@fortfrances.ca>  
**Sent:** Friday, November 29, 2019 11:35 AM  
**To:** Craig Miller <cmiller@fortfrances.ca>; Travis Rob <trob@fortfrances.ca>; Joerg Ruppenstein <jruppenstein@fortfrances.ca>; Tyler Moffitt <tmoffitt@fortfrances.ca>; Troy Calder <tcalder@fortfrances.ca>; Lisa Slomke <lslomke@fortfrances.ca>; cfnchief@vianet.ca; execassist@vianet.ca  
**Subject:** Minor Variance Application A7-2019

Hi All,

Please see attached documents for minor variance application A7-2019 requesting permission for reduction in separation between main building and accessory building, and permission to allow gazebo in front yard with reduced lot line set back at 1353 Idylwild Drive.

Please provide comments back by Thursday December 12, 2019.

The public meeting for this matter is schedule for Thursday December 19, 2019.

Thank you,

Cody Vangel EIT  
CBO Trainee/Municipal Planner  
Town of Fort Frances  
P: 807.274.5323 ext. 1216  
C: 807.271.0604

Date: December 4, 2019

Report To: Committee of Adjustment

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: Second Unit –Zoning By-law & Official Plan Amendment

---

The Planning & Development Executive Committee (PDEC) received a letter from Mr. D. Dickson asking to construct a garage with a portion of said garage to be designated as a dwelling unit (second unit). Presently the Town of Fort Frances Official Plan and Zoning By-law permit second units, but not as part of an accessory building.

PDEC made recommendation that the matter be further researched, and that the Official Plan and Zoning By-law be amended to accommodate second units within a building accessory to the primary dwelling.

This matter was considered in a public meeting on September 23, 2019, however since then further information and recommendations have been provided through discussions with our planning consultant.

Additionally, this matter was considered at the December 2, 2019 session of the Planning & Development Executive Committee with a general consensus of recommendation to approved the proposed amendments.

With support from our planning consultant the following proposed amendments have been detailed:

- Schedule 1: Proposed Official Plan Amendment
- Schedule 2: Proposed Zoning By-law Amendment

This report is intended to serve to you as the final proposed amendments.

Respectfully submitted

Original Signed By

Cody Vangel, EIT  
Chief Building Official & Municipal Planner



## Schedule 1

### Proposed Official Plan Amendments

Note: Addition in red, delete with strikethrough

---

#### 4.1.8 Additional Residential Policies

##### (i) Accessory ~~Second~~ Dwelling Units

One (1) Accessory Dwelling Unit may be permitted, in addition to the principal dwelling unit, of single-detached and semi-detached dwellings. ~~through a Zoning By-law or minor variance application. The following criteria shall be considered when evaluating proposals for the creation of accessory dwelling units:~~

- ~~I. The floor area of the accessory unit is equal to, or less than, the gross floor area of the principal unit without any modification to the building's bulk or massing;~~
- ~~H. The Accessory Dwelling Unit is not located in an attached garage;~~
- ~~III. One additional one (1) unit on-site parking space is provided exclusively for the accessory dwelling unit;~~
- ~~IV. The outdoor private amenity area is adequate for the amenity and leisure needs of all occupants;~~
- ~~V. The Accessory Dwelling Unit meets the requirements of the Town's Zoning Bylaw, the Building Code and Fire Code;~~
- ~~VI. A lot may not have both an Accessory Dwelling Unit and a Garden Suite.~~

##### ~~(j) Second units~~

~~Second units are permitted for:~~

- ~~I. the use of two residential units in a detached house, semi-detached house or row house if no building or structure ancillary to the detached house, semi-detached house or row house contains a residential unit; and the use of a residential unit in a building or structure ancillary to a detached house,~~
- ~~H. semi-detached house or row house if the detached house, semi-detached house or~~
- ~~III. row house contains a single residential unit.~~



## Schedule 2

### Proposed Zoning By-law Amendments

Note: Addition in red, delete with strikethrough

---

## DEFINITIONS:

### DWELLING UNIT (**INTERIOR**), SECOND

A self-contained dwelling unit created by either an interior renovation within an existing dwelling, or as an exterior addition, provided that one entire face of the addition is attached to the principal dwelling and shall not be considered a second dwelling on the lot for the purposes of this By-law.

### **DWELLING UNIT (DETACHED), SECOND**

A self-contained dwelling unit located within an accessory building on the same lot as the principal dwelling and shall not be considered a second dwelling on the lot for the purposes of this By-law.

## GENERAL PROVISIONS:

### 3.29 SECOND UNITS

#### **3.29.1 General**

A second dwelling unit may be permitted, in addition to the principal dwelling unit of a single detached and semi-detached dwelling, **or within a building accessory to these** subject to the following:

- ~~a) the dwelling unit is located within the principal dwelling;~~
- a) Only one secondary dwelling unit will be permitted per lot;**
- b) one additional parking space is provided for the exclusive use of the secondary dwelling unit;
- c) the external appearance of the front façade of the dwelling is not altered;
- d) the requirements of the Building Code and Fire Code are met;
- ~~e) the unit does not exceed 40% of the gross floor area of the principal dwelling unit;~~
- f) A lot will not have both a secondary dwelling unit and a garden suite;**
- g) No secondary dwelling unit will be considered a stand-alone structure capable of being severed;**
- h) Secondary dwelling units must not be limited by, nor included in, any density control requirement, including for example, number of dwelling units and unit per hectare counts;**
- i) All secondary dwelling units shall be registered with the Planning and Development Division; and**
- j) All secondary dwellings units shall be adequately serviced by municipal water and municipal sewer from the principal dwelling where it is determined that these services are suitable to meet the demand of the second unit as determined by the Operations and Facilities Division.**

## Schedule 2

### Proposed Zoning By-law Amendments

Note: Addition in red, delete with strikethrough

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#### **3.29.2 SECOND DWELLING UNIT (INTERIOR)**

In addition to the specifications outlined in 3.29.1, interior secondary dwelling units shall comply with the following:

- a) A secondary dwelling (interior) shall not exceed 40% of the gross floor area of the principal dwelling if any portion of the secondary dwelling is located at or above grade. Except for entrances, any secondary dwelling located entirely in the basement may occupy the entire basement, regardless of size.

#### **3.29.3 SECOND DWELLING UNIT (DETACHED)**

In addition to the specifications outlined in 3.29.1, detached secondary dwelling units shall comply with the following:

- a) Detached secondary dwelling units may be permitted at grade or on the second storey but not both;
- b) Shall have a minimum gross floor area as outlined in the Ontario Building Code but shall not exceed 40% of the gross floor area of the principal dwelling. In the event of conflict, the minimum gross floor area shall apply;
- c) The accessory building in which the second unit is located shall not exceed 15 percent coverage of the total lot area;
- d) Unobstructed emergency services access shall be provided;
- e) Provision of address identification shall be posted facing street and laneway where applicable;
- f) Notwithstanding Section 3.2, when the secondary dwelling (detached) is located on the second storey, the maximum height of the accessory building shall be a minimum of 2 metres less than the principal dwelling; and
- g) May be permitted for home occupation use as per Section 3.11, provided that only one home occupation is conducted on the property.

### **3.2 ACCESSORY BUILDINGS, STRUCTURES AND USES**

Accessory buildings or structures, are permitted in any yard, in any zone, subject to the provisions of this By-law for the particular zone in which said building, structure, or use is located, provided the principle building, structure or use is already in existence on the lot, and provided that the accessory building, structure or use:

- a) shall not be used for human habitation, except where an accessory residential use is a permitted use.
- b) accessory residential units above boat houses shall not be permitted;
- c) shall not be built closer to the front lot line than the minimum distance required by this by-law for the main building on the lot unless otherwise specified;
- d) shall not be located in the front yard or exterior side yard nor be built closer to the street than the main building is to that street except in an industrial zone where a gatehouse is permitted in the front yard;

- e) may be permitted in the front yard of a lot abutting a lake or river;
- f) shall not be built closer than 1.5 metres to any lot line;
- g) no detached accessory building or structure shall be located closer than 2.0 metres to a main building unless the accessory structure is a gazebo;
- h) shall not exceed 15 percent coverage of the total lot area;
- i) in a residential zone shall not exceed 5.0 metres in height, or contain more than one storey; except that where a dwelling unit is a permitted accessory use it shall not ~~exceed 6.0 metres in height, or~~ contain more than two storeys. In all other zones the maximum height shall not exceed 6.5 metres;
- j) shall not be considered as an accessory building or structure if attached to the main building in any way except for an accessory apartment dwelling that is permitted above or behind a commercial or industrial use;
- k) shall not be considered an accessory building or structure if located completely underground;
- l) where a commercial retail use is permitted as an accessory use in an industrial zone, it shall be located within the main building or within 2.0 metres of the main building and shall not exceed 10% of the total floor area of the main building to a maximum of 280 square metres; and
- m) No land may be used for the purpose of a swimming pool capable of containing in excess of 0.6 metres (2 ft.) of water unless the pool is enclosed by a fence, or by the wall of a building or structure, or by a combination of walls and fences, at least 1.5 metres (4.92 ft) in height and despite any other provisions to the contrary, an outdoor swimming pool and its associated mechanical equipment, shall be located, altered, erected or renovated in accordance with the following provisions:
  - a. An outdoor swimming pool shall be set back a minimum of 1.5 m (5 ft) from any lot line;
  - b. No outdoor swimming pool accessory to a permitted residential use shall be located in any part of a front or exterior side yard; and
  - c. Any filter, pumps, or similar operating machines are a minimum distance of 0.6 metres from any lot line and a minimum distance of 3.0 meters from any main building.
- n) A storage container shall not be used as an accessory building or structure except as may otherwise be permitted under this By-Law. Within the Industrial zone, storage containers may be permitted as an accessory use to the principal or main use but shall be used exclusively for the storage of goods and materials and shall not be used to accommodate work areas, shops, office uses, retail sales or human habitation.

# SECOND UNITS

## Info Sheet - Spring 2017

### Purpose

This document is to assist municipalities and the general public to better understand what second units are, why they are important, and the legislative authority behind second units. It provides some examples of specific second unit policy and zoning best practice approaches currently in use in official plans or zoning by-laws by Ontario municipalities.

### What are second units?

Second units are self-contained residential units with a private kitchen, bathroom facilities and sleeping areas within dwellings or within structures ancillary to a dwelling (e.g., above laneway garages).

Second units are also referred to as secondary suites, basement apartments, accessory apartments, granny flats, in-law apartments, or nanny suites.

<http://www.mah.gov.on.ca/Page9575.aspx>



Neighbourhood visualization of second units.

### What are the benefits of second units?

Second units increase the supply and range of affordable rental accommodation. In addition, they benefit the wider community in many ways as they:

- Allow homeowners to earn additional income to help meet the cost of homeownership
- Support changing demographics by providing more housing options for extended families or elderly parents, or for a live-in caregiver
- Help create mixed-income communities, which support local businesses and local labour markets
- Make more efficient use of existing infrastructure, including public transit where it exists or is planned
- Make more efficient use of the existing housing stock
- Create jobs in the construction/renovation industry
- Assist municipalities in meeting their goals regarding affordable housing, intensification and density targets, and climate change mitigation and greenhouse gas emissions reduction.

## Where are Second Units Located?

The majority of second units are created through internal alterations, although some are built as additions to the main house or in/above ancillary structures like garages. The size, type (e.g., internal, addition, ancillary structure) and location of the second unit will depend on the size and design of the house as well as its location on and the size of the lot.

Regardless of where they are located second units must comply with health, safety and municipal property standards, including but not limited to, the Ontario Building Code, the Fire Code and municipal property standards by-laws.

## Background

The *Strong Communities through Affordable Housing Act, 2011*, amended the *Planning Act* to require that municipalities authorize second units in their official plans and zoning by-laws. The changes took effect on January 1, 2012.

Ontario's updated Long-Term Affordable Housing Strategy, 2016 continues this effort, with a focus on reducing the cost of constructing second units by:

- proposing changes to the Building Code to reduce the cost of construction of a new dwelling with a second unit, while maintaining occupant health and safety
- amending the *Development Charges Act, 1997* that, when in effect, would exempt second units in new dwellings from development charges in the same manner as second units in existing dwellings are exempted, as specified in a regulation.

## Legislative Framework

### *Planning Act*

Section 16(3) of the *Planning Act* requires municipal official plans to authorize second units:

- in detached, semi-detached and row houses if an ancillary building or structure does not contain a second unit; and
- in a building or structure ancillary to these housing types provided that the primary dwelling does not contain a second unit.

Section 35.1 requires that each local municipality ensure that its zoning by-law gives effect to the policies described in Section 16.3.

## No appeals to the Ontario Municipal Board

The *Planning Act* restricts appeals of second unit official plan policies and zoning by-law provisions to the Ontario Municipal Board except by the Minister.

## Provincial Policy Statement, 2014 (PPS)

The Provincial Policy Statement, 2014 (PPS) directs and promotes the development of healthy and complete communities. The goal is to create strong, livable, healthy and resilient communities through efficient land use (s.1.1.1).

Section 1.4.3 of the PPS directs municipalities to permit all forms of housing to provide an appropriate range and mix of housing types and densities – including affordable housing. Further, municipalities should permit and facilitate all forms of residential intensification and redevelopment, including second units.

## Provincial plans

Some provincial plans contain specific policy which directly or indirectly relates to second units in the geographic areas they apply to (eg. the Oak Ridges Moraine Conservation Plan and Niagara Escarpment Plan). Municipalities need to consider and reflect any such policies in developing their official plans and zoning by-laws.

## Official Plans

Municipal official plans outline a community's vision and priorities. They contain policies to guide development in order to achieve land use goals. Official plans must reflect any legislative requirements, be consistent with the PPS and conform to any applicable provincial plans.

## Zoning By-laws

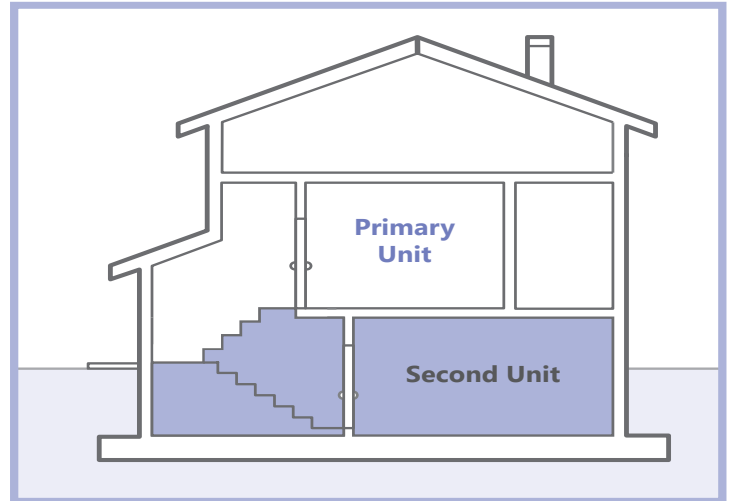
A zoning by-law sets standards for development and must conform to a municipality's official plan. Zoning by-laws must be updated within three years of a new or amended official plan and must also reflect any requirements of the *Planning Act*, be consistent with the PPS and conform to any applicable provincial plan.

## Best Practices

The *Planning Act* provides a broad legislative foundation for permitting second units by requiring that they be authorized in single-detached, semi-detached and row dwellings, and in ancillary structures. In practice though, there are circumstances where second units are not appropriate based on good land use planning principles, including health and safety and environmental considerations. So while official plan policies should be permissive and zoning by-laws should generally allow second units to be established "as of right", there may be situations where second units should not be allowed and/or require some specific assessment prior to their establishment. The following are some examples of best practices in official plan policies and zoning by-laws, including specifics which relate to a number of these circumstances.

### "As of right"

For the purposes of this document, "as of right" is a phrase used to refer to the ability to apply for a building permit without having to make a development application (e.g., an official plan or zoning bylaw amendment, a minor variance or a site plan). Similarly, homeowners generally should not need to produce any type of study to demonstrate that they conform to any policy or zoning provisions.



Second unit - Contained within primary dwelling.

## Housing types and ancillary building structures

The *Planning Act* provides that official plan policies and implementing zoning by-laws should permit second units in detached, semi-detached and row houses if an ancillary building or structure does not contain a second unit; and, in a building or structure ancillary to these housing types provided that the primary dwelling does not contain a second unit.

In municipalities with limited housing types (e.g. only single detached dwellings), second units would only need to be authorized for that housing type.

### Township of Wainfleet Official Plan, August 14, 2014

#### 3.3.1.4 Secondary suites

*Secondary suites* shall be permitted in all Residential Area designations, and shall be subject to the following criteria and the regulations of the Zoning By-law:

- Only one *secondary suite* per single detached, semi-detached, or townhouse dwelling is permitted;
- The secondary suite may be contained within the primary residential dwelling or in a building or structure accessory to the residential dwelling, but not in both;



## Official plan designations

Municipalities should allow second units in designations or zones that permit detached, semi-detached, or row dwellings.

There may be circumstances where second units may not be appropriate given other planning considerations and policies, particularly relating to health and safety or the natural environment. For example:

- areas that are prone to flooding
- waterfront areas/developments on private roads that are not maintained and where emergency access may be limited
- areas adjacent to lakes with limited lake capacity
- areas of recreational dwellings where there may be a lack of year round roads and/or which lack other daily needs and services residents may require.

### Tay Valley Township Official Plan, 2016

3.6.4(1)

...an accessory apartment (secondary suite) is permitted in residential areas within a four-season single detached, semi-detached, or row-house dwelling unit, or attached to a detached garage, located on a road maintained year-round and accessible by Emergency Services, subject to considerations of carrying capacity of lakes and hydrological capacity....

## Second Units in existing dwellings and new dwellings

Second units should be allowed in both newly built and existing dwellings. Designing new houses to accommodate a second unit at the outset can be more efficient than retrofitting an existing home to have a second unit. Recent changes to the *Development Charges Act, 1997* and a potential regulation to exempt second units in new homes from development charges (once in effect), and proposed changes to the Building Code, if approved, are expected to reduce the cost of constructing second units in new dwellings. A proposed regulation under the *Planning Act*, if made, would permit second units without regard to the date of construction of the primary building.

### Town of Smiths Falls Official Plan, October 2014

LU-2.14 Second Residential Units

The Town will permit the addition of one self-contained residential dwelling unit (i.e. second unit), within single-detached and semi-detached and row house dwellings in both existing and newly developing residential neighborhoods.

## Parking

The maximum parking required per second unit should be one space. In some jurisdictions where transit is available, some municipalities have eliminated parking requirements for second units. Tandem parking (a parking space that is only accessed by passing through another parking space) should also be permitted. A proposed regulation under the *Planning Act* would, if made, restrict the maximum parking requirement for a second unit to one space while also requiring that tandem parking be allowed.

### City of Ottawa Zoning By-law 2012-147 (June 10, 2015)

Secondary Dwelling Units  
Sec. 133 (14)

Where a secondary dwelling unit is located on a lot subject to Section 139 - Low Rise Residential Development in Mature Neighbourhoods, no parking is required for the secondary dwelling unit.

### Mississauga Zoning By-law 0158-2013 (July 2013)

4.1.20.10

**Tandem parking spaces** to accommodate a **second unit** shall be permitted.

## City of Toronto Zoning By-law 569-2013

### 800.50 Defined Terms

(850) Tandem Parking Space means a **parking space** that is only accessed by passing through another **parking space** from a **street, lane, drive aisle** or **driveway**.

## Servicing

In areas with municipal services, second units should be permitted without a requirement to demonstrate sewer or water capacity, unless there are previously documented servicing constraints.

For second units in dwellings serviced by septic systems and private wells, there should be a demonstration of capacity to the satisfaction of the municipality. This is because Building Code permits for septic systems are, in part, based on the number of bedrooms and plumbing fixtures, because septs may be old and/or in order to ensure there is sufficient potable water from the private well.

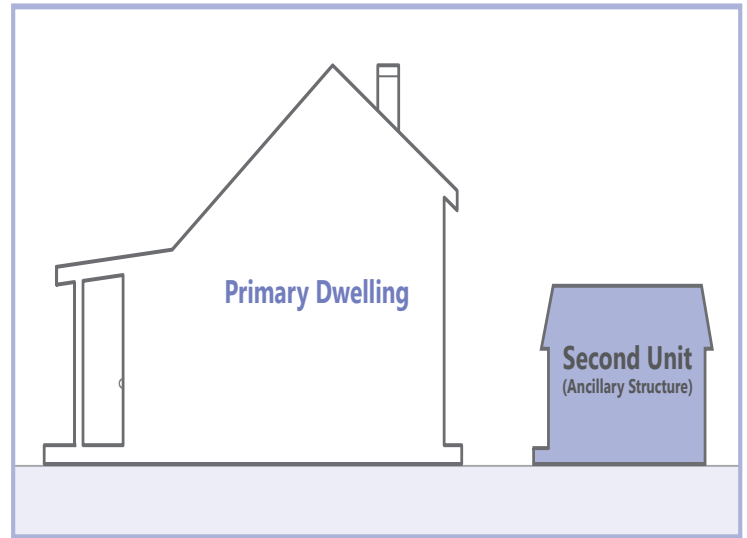
## Howick Township OP, 2016

### 5. Settlement Areas

#### D. Policies and Actions

10.1 ... Second residential units are permitted in settlement areas and rural areas of the Township provided that:

f) It must be demonstrated that on-site servicing (e.g. water, sewage) have sufficient capacity for the additional dwelling unit.



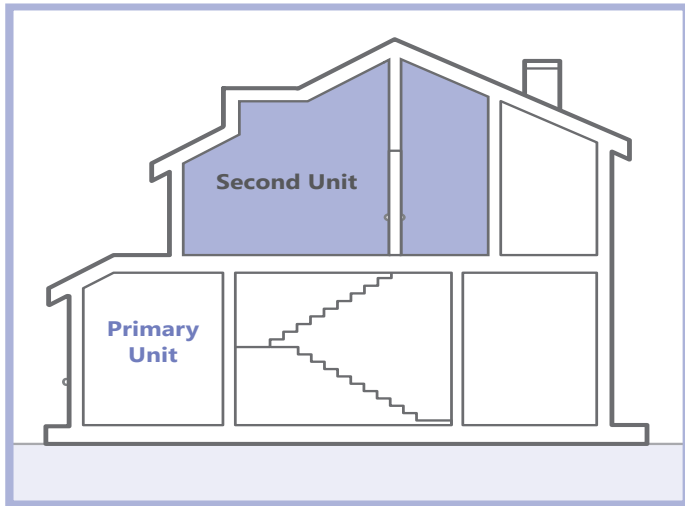
Second unit - Ancillary structure located on property.

## Unit Size

The size of second units and the number of bedrooms should solely be regulated by the Building Code. The Building Code establishes health and safety standards for second units. As such, municipal by-laws should not seek to impose size or other standards that are regulated by the Building Code.

The *Development Charges Act, 1997* (via Ontario Regulation 82/98) states that, in order for second units in existing homes to be exempt from development charges, they must be less than or equal to the size of the primary dwelling. This is the only potential size standard a municipality should contemplate including in a by-law.





**Second unit** - Contained within primary dwelling  
(Above ground-level unit).

## Egress

Requirements for entrances or means of egress for second units are set by the Ontario Building Code and Ontario Fire Code (which need to be referred to for specific standards). In general, second units can share a joint entrance with the primary unit, subject to having a fire separation with appropriate fire resistance rating, and at least two means of egress (exit) that may include windows of an appropriate size. Therefore, there is a need to ensure that by-laws do not contain any standards/provisions that differ from those in the Codes.

## Streetscape and Architectural Design

Given most second units are internal to a primary dwelling, second units should have limited impact on streetscape and architectural design. In the case of an addition to a primary dwelling, there may be valid design considerations, particularly in heritage areas. If municipalities establish design standards in relation to streetscape or architectural design, they should be clearly set out in the zoning by-law so a second unit can be planned in accordance with the by-law and a homeowner can proceed directly to obtain a building permit.

## Owner occupancy

The *Planning Act* does not allow zoning to have the effect of distinguishing on the basis of relationship. Zoning by-laws should permit occupancy of the primary or second unit regardless of whether or not the owner of the home is a resident of either unit. A proposed regulation under the *Planning Act*, if made, would establish a provision which precludes establishing occupancy requirements for either the primary or second unit.

## Tracking and monitoring

A municipality should have a means for tracking and monitoring second units. A registry, in some form, could help the municipality be aware of where second units existed. This could assist in establishing inspection processes to help ensure public safety. It could also provide emergency services with the knowledge that there are two units in the home.

A registry could be established through a mandatory enrollment by the applicant when constructing a second unit or by having the municipal building official inform the appropriate office that a building permit has been issued for a second unit on a property. Ideally, there would be no or only modest fees for registration in order to encourage the creation and registration of second units.

### City of Brantford OP

#### 13.1.8

The City shall permit the creation of a self-contained second unit dwelling on lands designated to permit single detached dwellings, semi-detached dwellings, street townhouse dwellings, or accessory structures in accordance with the applicable zoning bylaw regulations and the following provisions: OPA #125 Dec. 3/08 OPA #180 Dec. 17/12

6. Second unit dwellings shall be registered with the Building Department.

## Additional Sources

Landlord Self Help Centre website  
<http://www.landlordselfhelp.com/intro.htm>

Canada Mortgage and Housing Corporation –  
Second Unit Policies –  
<https://www.cmhc-schl.gc.ca/en/inpr/afhoce/afhoce/afhostcast/afhoid/pore/pesesu/index.cfm>

## For More Information, Contact:

Ministry of Municipal Affairs, Provincial Planning  
Policy Branch, (416) 585-6014

Municipal Services Offices:

Central (Toronto), 416-585-6226,  
Toll Free: 1-800-668-0230

West (London), (519) 873-4020,  
Toll Free: 1-800-265-4736

East (Kingston), (613) 545-2100,  
Toll Free: 1-800-267-9438

Northeast (Sudbury), (705) 564-0120,  
Toll Free: 1-800-461-1193

Northwest (Thunder Bay), (807) 475-1651,  
Toll Free: 1-800-465-5027

## Note to User

This Info Sheet summarizes complex matters and reflects legislation, policies and practices that are subject to change. It should not be a substitute for specialized legal or professional advice in connection with any particular matter and should not be construed as legal advice. The user is solely responsible for any use or the application of this information. As such, the Ministry of Municipal Affairs does not accept any legal responsibility for the contents of this Info Sheet or for any consequences, including direct or indirect liability, arising from its use.

## Ministry of Municipal Affairs

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Disponible en français



# Adding a Second Unit in an Existing House

Ontario Building Code  
Information



This document was developed with the input of:

- Ministry of Municipal Affairs and Housing
- Large Municipal Chief Building Officials Group
- Ontario Building Officials Association
- Ontario Association of Fire Chiefs

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**Disclaimer:** This document is provided for convenience only and should not be relied upon as a substitute for construction, engineering, architectural or legal advice. The Ministry of Municipal Affairs and Housing does not assume responsibility for errors or oversights resulting from use of this document.

# Adding a Second Unit to an Existing House

Adding a second unit is a great way to provide independent living for a family member or make a little extra money to help pay off the mortgage. But there are things you need to consider as you decide whether to build a second unit. Is your home detached, semi-detached or a rowhouse that is more than five years old? Are you considering renovating it to add a second unit? If the answers are yes, then this guide can help you. It fulfills a commitment made in Ontario's Housing Supply Action Plan to provide homeowners with a user-friendly guide and checklist to help you build legal second units.

Note: If your house is less than five years old, different Building Code rules apply. **Contact your local building department** for more information.

Before deciding to add a second unit, it is important that you **first speak with your local municipal planning and building departments**. They can tell you whether or not you can add a second unit on your property and answer any questions that you have related to local zoning, the Building Code and other by-laws.

There are several important factors you need to consider before adding a second unit, including:

- Applicable municipal zoning requirements
- Necessary building permits
- Designing your unit to comply with the Building Code
- Required building inspections during construction

It is important to meet planning and Building Code requirements. Doing so will help ensure that your house and second unit are legal, safe and healthy places to live.

To help you through the sometimes complex design and building process, we recommend you hire a qualified professional such as an architect, professional engineer or a designer registered with the Ontario government. These professionals and your builder can act



## What is a second unit?

A second unit is a self-contained dwelling unit with a private kitchen, bathroom facilities and sleeping areas. It can be located in your house or on your property, above a laneway garage or in a coach house. This document generally applies to Building Code requirements for second units in houses, and not for second units in garages or coach houses, though some of the same rules apply.





## Did You Know?

For the construction of a second unit in an existing house, development charges are not collected.

Also, the Government is considering potential regulations that might further address barriers to establishing second units such as local parking requirements.

as your agent regarding matters with your local municipality. They can help you get all necessary approvals, including a building permit, and also arrange construction inspections.

## Municipal Zoning and Other By-Laws

Know your municipality's zoning by-laws. They affect the construction of your second unit. **Ask your local planning and building department** about:

- The zoning requirements and standards for second units that apply to your property. This includes rules around parking requirements, exits and entrances, servicing or minimum or maximum unit size.
- Whether you need to apply for rezoning or a minor variance.
- Any other applicable agreements and approvals that are required before you can add a second unit.
- Whether your second unit will need to be licensed or registered with your municipality.

If you cannot comply with your municipality's by-laws, you will not be able to add a second unit.

## Getting a Building Permit

To add a second unit in your house, you will need a building permit. You or your agent can apply for one at your local building department. You will need to submit:

- A completed application form and any other forms and supporting documents requested by the municipality
- Construction drawings (most municipalities require at least two sets of drawings)
- Payment of the building permit fee

You should also **check with your municipality** to find out if:

- You need to hire a licensed contractor to do the work.
- They accept electronic permit applications, as this can speed up processing time.

Once your complete application has been submitted, you will hear back within 10 business days whether it has been approved or not. Incomplete applications or improper design may mean your permit will be delayed or not accepted.

## Building Inspections

Once your building permit has been issued, building inspectors from the municipality must review work at various stages during construction. Inspectors will need to check framing, insulation, plumbing, interior finishes and other items as outlined in the Building Code. Make sure to **confirm with your inspector** what needs to be inspected.

You or your agent are responsible for informing your building department when different stages of construction are ready for inspection.

Any second unit, whether it is new or existing, must be a safe place to live. If you already have an existing second unit in your house and have concerns with its design, you are encouraged to **contact your local building department**.

## Building Code Requirements for Second Units

Ontario's Building Code sets out minimum construction standards for how to build a second unit in your house. These minimum standards are described in the sections that follow. In some cases, you may wish to build beyond the minimum requirements of the Building Code. Building beyond the Building Code provides homeowners many advantages, including greater occupant comfort and amenities that can make your second unit a nicer place to live.



## Age of Your House

Different Building Code rules apply depending on the age of your house.

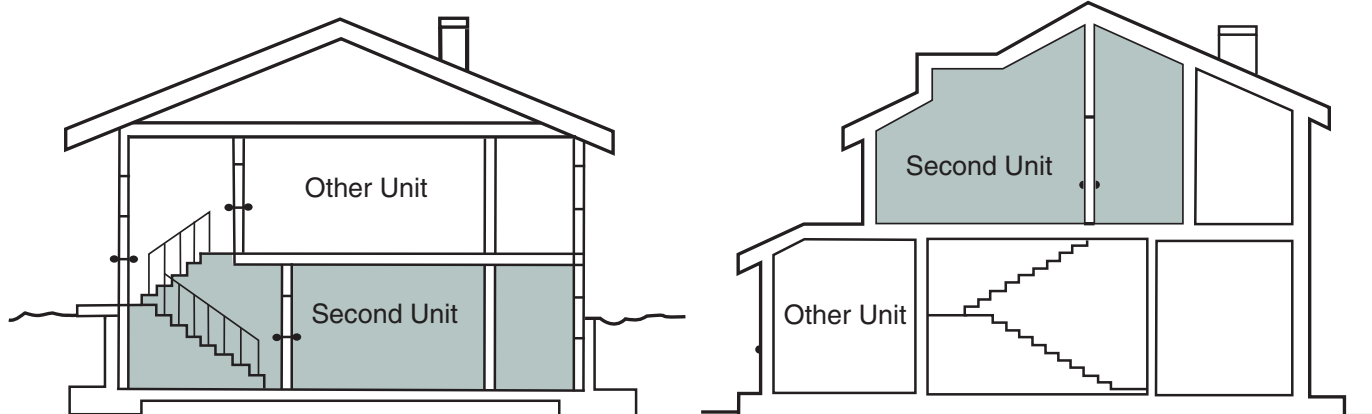
If your house is more than five years old, it is classified as an existing house and you have more flexibility under the Building Code when you make renovations.

If your house is less than five years old, then it is classified as a new building and under the Building Code it generally must meet

new construction requirements. For more information on adding a second unit to a **new** house, **contact your local building department**.

## Location of Your Second Unit

You can build a second unit in any part of your house. It can be all on one floor or on multiple levels. Most second units are built in the basement or attic. Building Code rules can vary depending on where the second unit is located in your house.



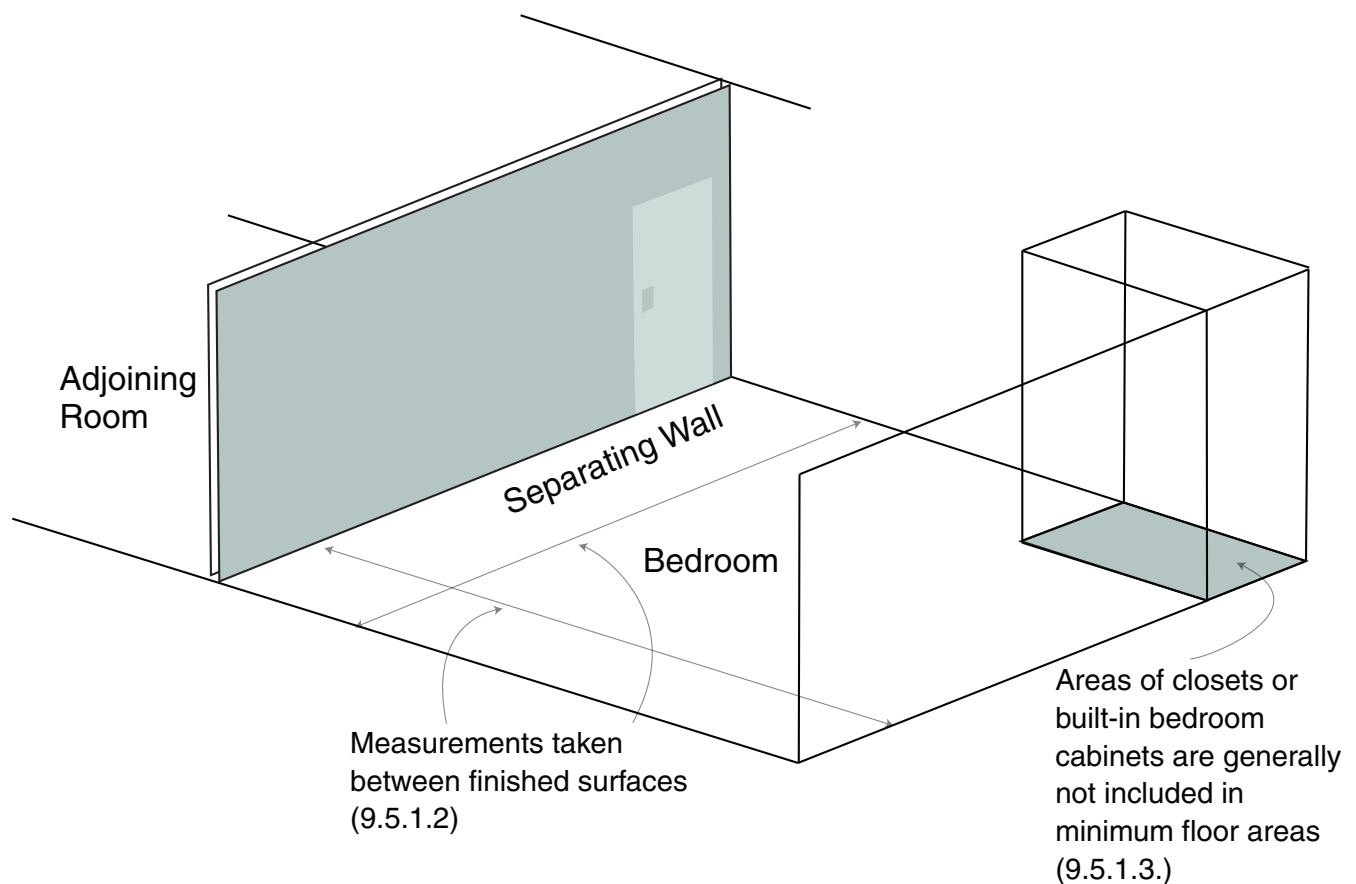
Examples of Second Unit Locations

## Room Sizes and Floor Area

The Building Code sets out minimum room sizes in dwelling units, including second units. Room sizes vary depending on whether rooms are separated by walls or the unit is open concept. For example, the minimum area of a dining room separated by walls is 7 m<sup>2</sup> (75 ft<sup>2</sup>), while an open concept bachelor unit combining sleeping, living, and dining areas and kitchen space is permitted to be 13.5 m<sup>2</sup> (145 ft<sup>2</sup>). Generally, minimum sizes for rooms and spaces includes:

Room/Space:	Minimum Required Floor Area:
Living area	13.5 m <sup>2</sup> (145 ft <sup>2</sup> )
Dining area	7 m <sup>2</sup> (75 ft <sup>2</sup> )
Kitchen	4.2 m <sup>2</sup> (45.2 ft <sup>2</sup> )
Combined living, dining and kitchen areas in a one-bedroom unit	11 m <sup>2</sup> (118.4 ft <sup>2</sup> )
Master bedroom (without built-in closet)	9.8 m <sup>2</sup> (95 ft <sup>2</sup> )
Other bedrooms (without built-in closets)	7 m <sup>2</sup> (75 ft <sup>2</sup> )
Bathroom	Sufficient space for sink, toilet and shower stall or bath
Combined sleeping, living and dining areas and kitchen space	13.5 m <sup>2</sup> (145 ft <sup>2</sup> )

(Relevant Building Code provisions - Division B, Subsections 9.5.4. to 9.5.9.)



#### Room Sizes and Floor Areas

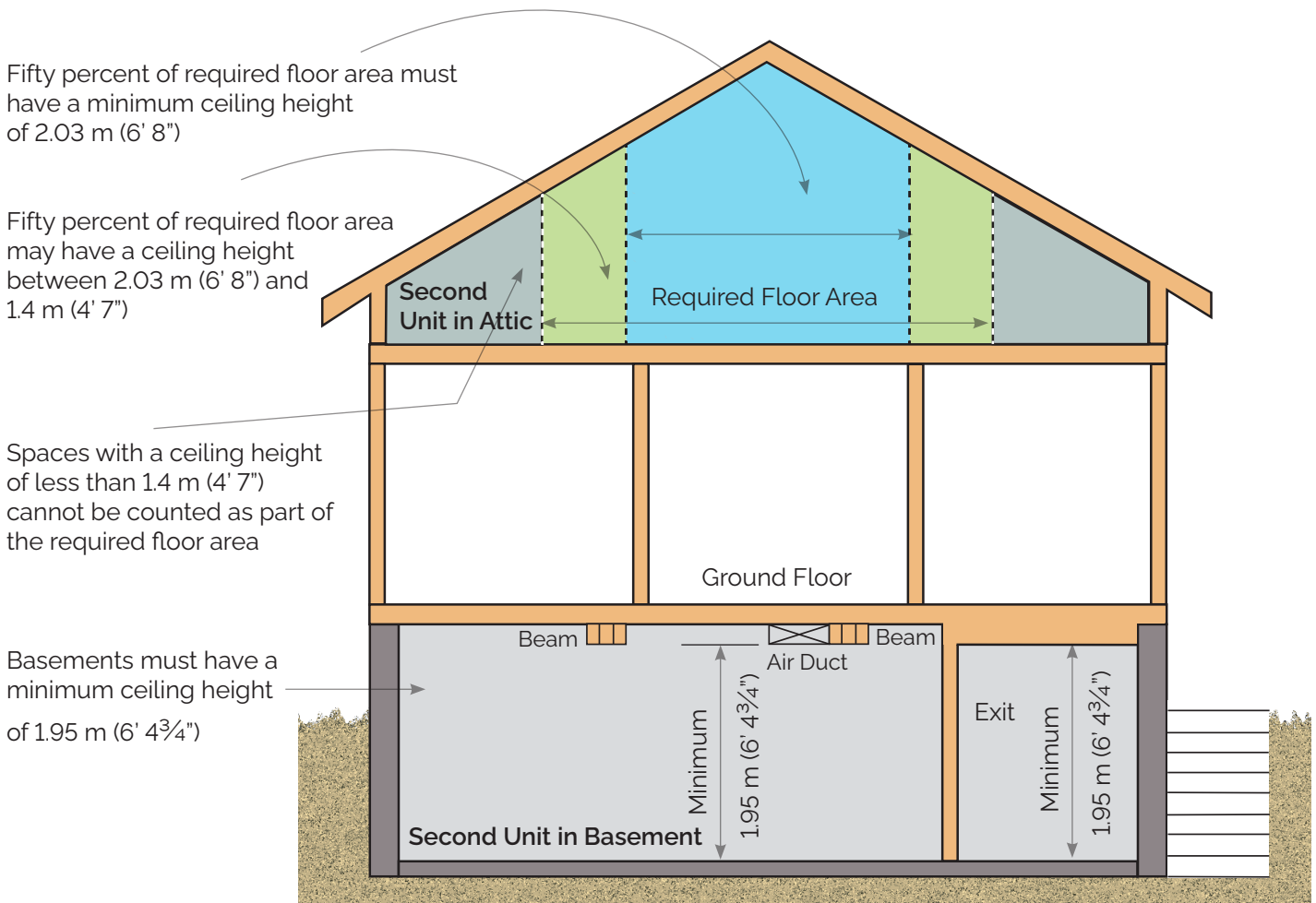


## Ceiling Heights

You are also required to have minimum ceiling heights in your rooms. Meeting the ceiling height requirements can sometimes be a challenge in an existing house. Choose the location of your second unit carefully. Ceiling height requirements for second units vary in different parts of your house such as in basements and attics.

- A basement second unit is permitted to have a ceiling height of 1.95 m (6' 4 $\frac{3}{4}$ ") over the entire required floor area, including the route inside the unit leading to the exit.
- An attic second unit – which may have sloped ceilings – would meet the Building Code if at least 50% of the required floor area has a ceiling height of 2.03 m (6' 8"), but this does not include areas with low ceilings less than 1.4 m (4' 7") high.

(Relevant Building Code provisions – Division B, Table 11.5.1.1.C., Compliance Alternative 102)



Second Unit Ceiling Height



## Windows

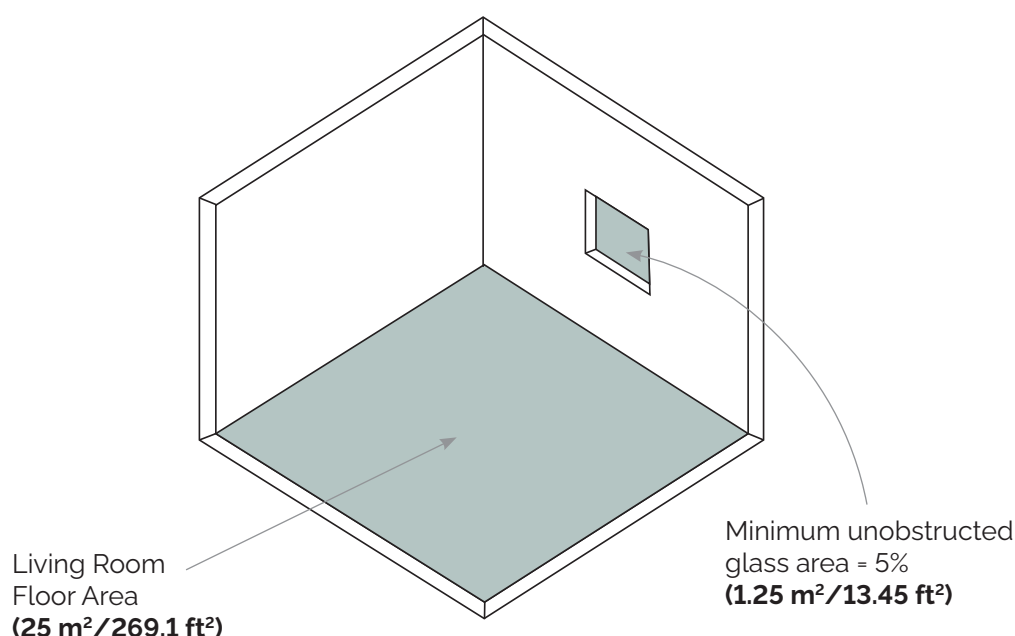
Windows are required in a second unit. The size of windows you need is determined by the size of the unit. Larger units will require more or bigger windows. Window sizes are also based on what type of room they are in. Some windows can also be used as another way to exit a second unit. For more information, please see the section on “Exits” on page 15.

Where the window is not being used as an exit, minimum window sizes are:

Room/Space:	Minimum Required Window Area:
Living and dining rooms	5% of the floor area
Bedrooms	2.5% of the floor area
Laundry room, kitchen, bathroom	Windows not required

(Relevant Building Code provisions – Division B, Article 9.7.2.3. as modified by Table 11.5.1.1.C., Compliance Alternative 107)

For example, if you are planning to have a dining area of 10 m<sup>2</sup> (108 ft<sup>2</sup>), the minimum size of the window(s) must be 0.5 m<sup>2</sup> (5'4"ft<sup>2</sup>). The diagram below shows another example:



Window Sizes and Floor Areas



## Plumbing

Your second unit will have to meet plumbing requirements. At minimum you will need:

- A hot and cold water supply
- A sink, bathtub or shower, toilet, or a drainless composting toilet in the bathroom
- A kitchen sink
- Access to laundry facilities, which may be provided in a shared laundry room or a separate laundry area in the second unit

You will need a qualified plumber to do this work.

(Relevant Building Code provisions – Division B, Articles 9.31.4.1. to 9.31.4.3.)

Second units must also have their own separate water shut-off valves. This allows plumbing work or repairs to be done in one unit without affecting water flow in the other.

(Relevant Building Code provisions – Division B, Sentences 7.6.1.4.(1) and 7.6.1.6.(1))

If your house is in an area that is subject to flooding or sewer backup, you may need to install a backwater valve when you add a second unit. Backwater valves help prevent sewage in municipal drain pipes from entering floor drains and plumbing fixtures in the lower levels of your house.

(Relevant Building Code provisions – Division B, Article 7.4.6.4.)

## Septic Systems

Adding a second unit to a house served by a septic system is permitted as long as the septic system has the capacity to handle the increase in sewage.

**Check with your building department** to make sure your existing septic system is sized properly. If not, you will need to upgrade your septic system so that it can safely treat the extra sewage flow.

(Relevant Building Code provisions – Division B, Sentence 11.4.2.5.(4))

(Note: some municipalities rely on regional health units or conservation authorities to enforce the septic system requirements of the Building Code. Your **local building department will advise** you if that is the case.)

## Heating and Ventilation

The Building Code allows a house with a second unit to have a single furnace and common system of air ducts. For fire safety, you will have to install a special type of smoke detector in the main supply or return air ducts. When

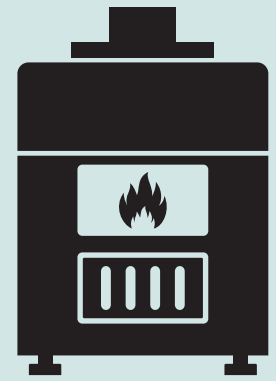
activated, this device turns off the fuel supply and electrical power to the furnace causing it to shut down and preventing the spread of smoke from one unit to the other.

Duct-type smoke detectors must meet a specific performance standard known as UL 268A. To ensure you have the right detector and the installation is done properly, you should hire a qualified contractor to do the work.

(Relevant Building Code provisions – Division B, Table 11.5.1.1.C., Compliance Alternative 195)

Ventilation is also required for the bathroom and kitchen of your second unit. This can be provided by a ceiling exhaust fan or a window that opens to outside.

(Relevant Building Code provisions – Division B, Article 9.32.1.2. as modified by Table 11.5.1.1.C., Compliance Alternative 194)



## Going Beyond Code:

**While the Building Code allows one furnace to heat an entire house including the second unit, you might want to consider installing a second furnace and air ducts when adding a second unit. Sharing one furnace and air ducts between two units may mean cooking smells, recreational smoke and other odours, as well as noise, may transfer from one unit to the other. Having one thermostat controlling the temperature of both units may also become an issue for residents of both units.**

## Electrical Facilities and Lighting



To ensure adequate lighting in rooms and spaces, the Building Code requires that your second unit must have:

- A light and switch in every room and space of your second unit
- A switch at both the top and bottom of the stairs

(Relevant Building Code provisions – Division B, Articles 9.34.2.2. and 9.34.2.3.)

The Electrical Safety Code, produced by Ontario's Electrical Safety Authority (ESA), has further requirements when adding a second unit.

- You will need to get a separate electrical permit to do the electrical work in your second unit.
- The ESA will inspect the electrical work in your second unit.

It is recommended that you hire a licensed electrical contractor to do the work.

They can also get the electrical permit and arrange inspections for you.

- For further information you can contact ESA directly at 1-877-ESA-SAFE (372-7233) or [esasafer.com](http://esasafer.com).

## Fire Safety

For fire safety you will need a fire separation between your second unit and the rest of the house. A fire separation acts as a physical barrier to slow the spread of fire from one part of the house to the other. The fire separation must be continuous and include protected openings if necessary (e.g. fire dampers) in order to work properly.

### What is a fire separation?

A fire separation can be a floor, wall, door with a self-closing device, or a combination of those things. It can be built using typical building materials such as lumber and drywall. For example, a 30 minute fire separation can be built using 38 mm x 89 mm (2" x 4") wood studs, 13 mm (1/2") thick drywall on both sides, and fibre-type insulation between the studs. Lath and plaster construction typically found in older houses is an example of a 15 minute fire separation.



When adding a second unit, the Building Code requires a 30 minute fire separation between units, and also between units and common areas. If the renovation of your house to add a second unit requires the alteration of an existing floor or ceiling, you are required to make that a 30 minute fire separation (see floor/ceiling diagram). A fire separation can be reduced to 15 minutes if the entire house has interconnected smoke alarms.

(Relevant Building Code provisions – Division B, Table 11.5.1.1.C., Compliance Alternatives 147, 152 and 153)

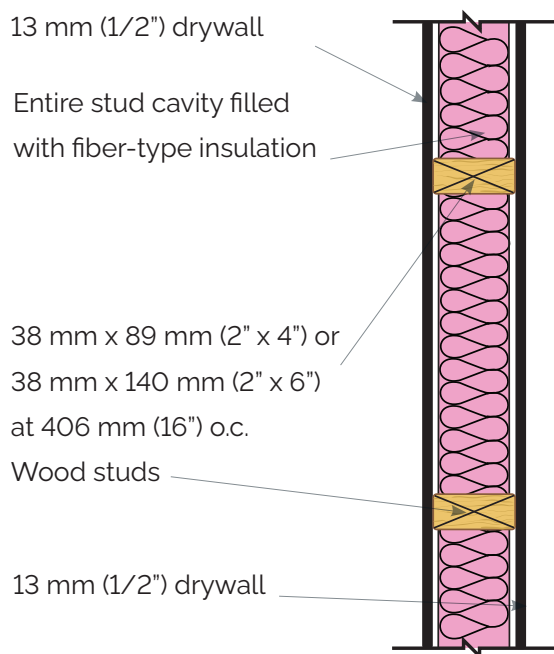


Diagram of wall showing typical 30 minute fire separation

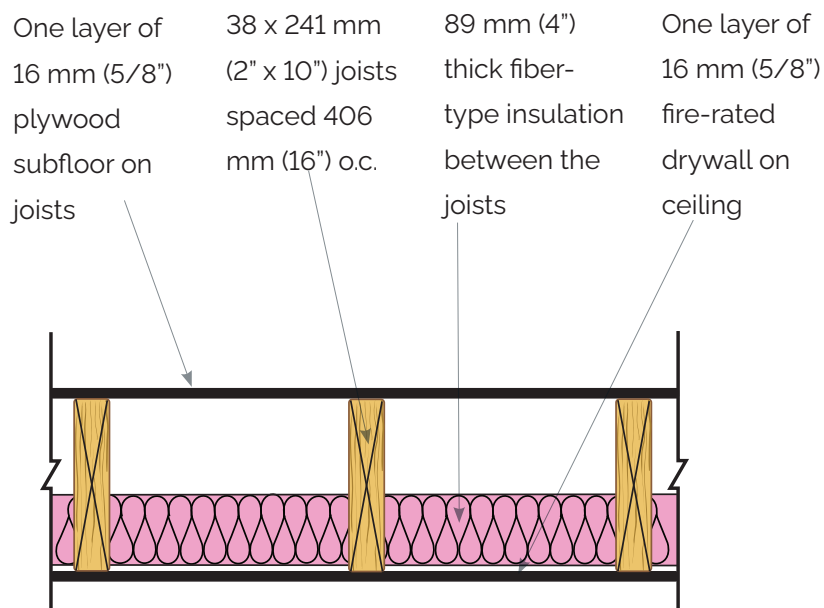


Diagram of typical floor/ceiling that would generally achieve a 30 minute fire separation

**Good-to-Know:** A wall built to meet the Building Code's fire separation requirements will help to reduce noise between units.

## Going Beyond Code:

Noise and vibration travelling between units is a common problem for people that live in multi-unit residential buildings, including houses with second units. It is a good idea to build extra noise protection in the walls, floors and ceilings that divide your second unit from the remainder of the house. There are many different ways to construct a wall so that it has greater noise protection, including additional insulation, extra layers of drywall, etc.





## Going Beyond Code:

**To enhance the fire safety of your second unit you should consider installing smoke alarms in storage rooms and service areas that are interconnected with the smoke alarms in the second unit. Fires that start in remote areas of a house can often be the most deadly as they can burn for longer periods before being detected.**

## Smoke Alarms

You will need smoke alarms (sometimes known as smoke detectors) in your second unit that must meet the CAN/ULC S531 performance standard. A label on the alarm will indicate whether it meets this standard. Your smoke alarms must also have a flashing light when they are activated. Smoke alarms are widely available at hardware and home renovation stores.

Proper placement of smoke alarms is important. They must be located:

- On every level of a house
- Outside sleeping areas (which, depending on the layout of a floor, can also count as the smoke alarm for that level)
- In each bedroom in the second unit
- In common areas of the house shared by occupants of both units, such as entrances and laundry rooms

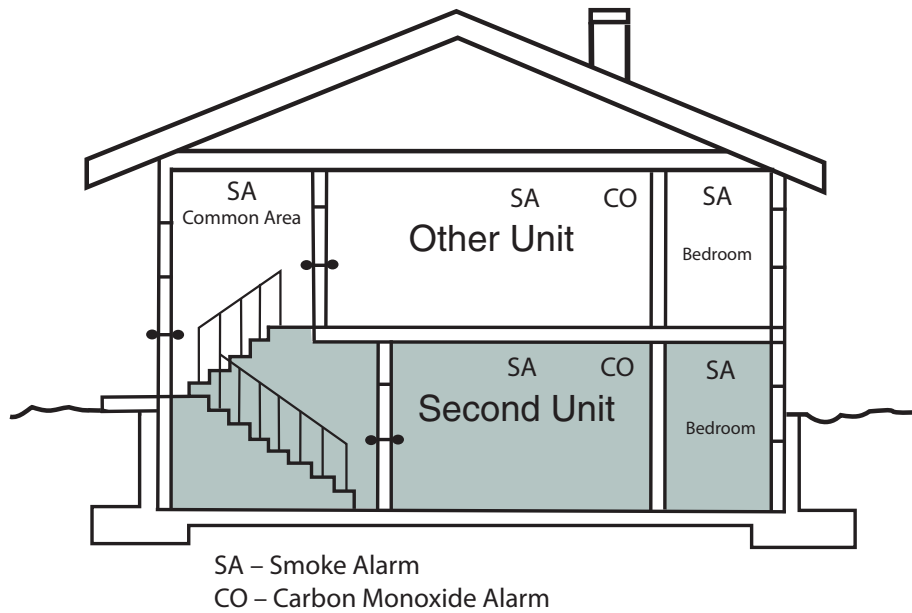
(Relevant Building Code provisions – Division B, Subsection 9.10.19.)

## Carbon Monoxide Alarms

In addition to smoke alarms you may also have to install carbon monoxide alarms. They are required if your house has a furnace that uses natural gas, propane or other similar fuels. They are also required if your house has an attached garage. Carbon monoxide alarms can be either electrically powered or battery operated and must be located:

- Near bedrooms and sleeping areas in the second unit
- In the furnace room, if the furnace room is a separate space from the residential units

(Relevant Building Code provisions – Division B, Articles 9.33.4.1. and 9.33.4.2. as modified by Table 11.5.1.1.C., Compliance Alternative 197)



Location of Smoke Alarms and CO Detectors

## Exits

Your second unit needs safe exits. There are different rules for exits depending on where in your house the second unit is located. Providing a separate exit for the second unit is preferable. If that is not possible:

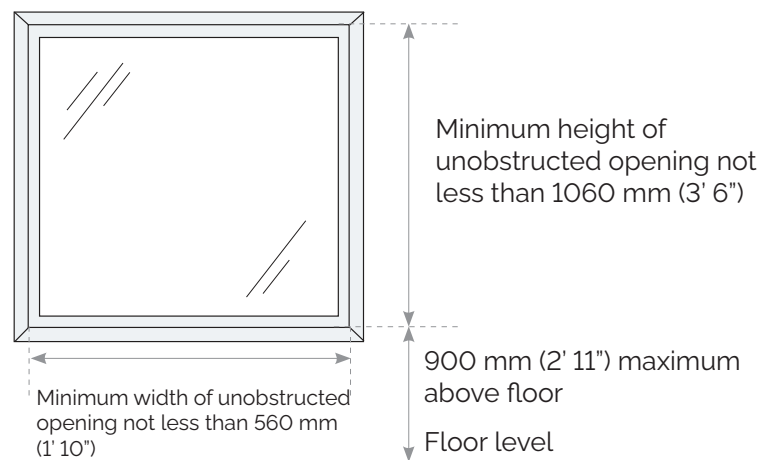
- A common exit for both units in your house is allowed if the exit area has a 30 minute fire separation and contains smoke alarms that are interconnected to both units.



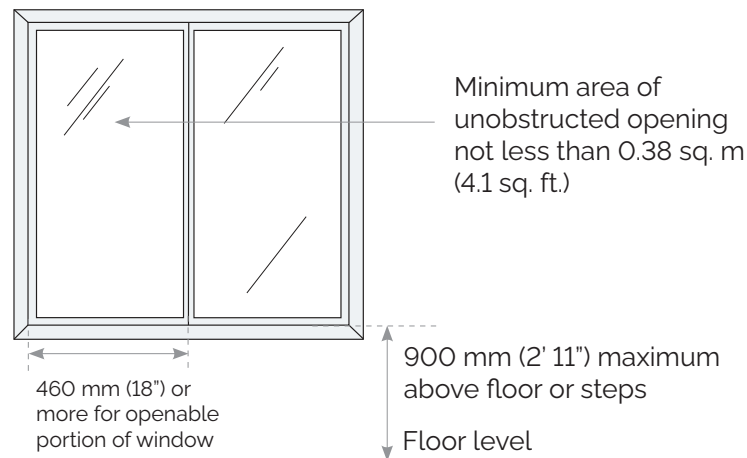
- In cases where the exit from one unit leads through another unit, a second means of escape must be provided by using a window.
- Windows that may be needed in an emergency as a second means of escape must be large enough for a person to get through and be easy to open without the use of tools.

- There are different requirements (shown in the diagrams below) for means of escape windows depending on whether they are located in the basement or upper floors.

(Relevant Building Code provisions – Division B, Table 11.5.1.1.C., Compliance Alternative 136)

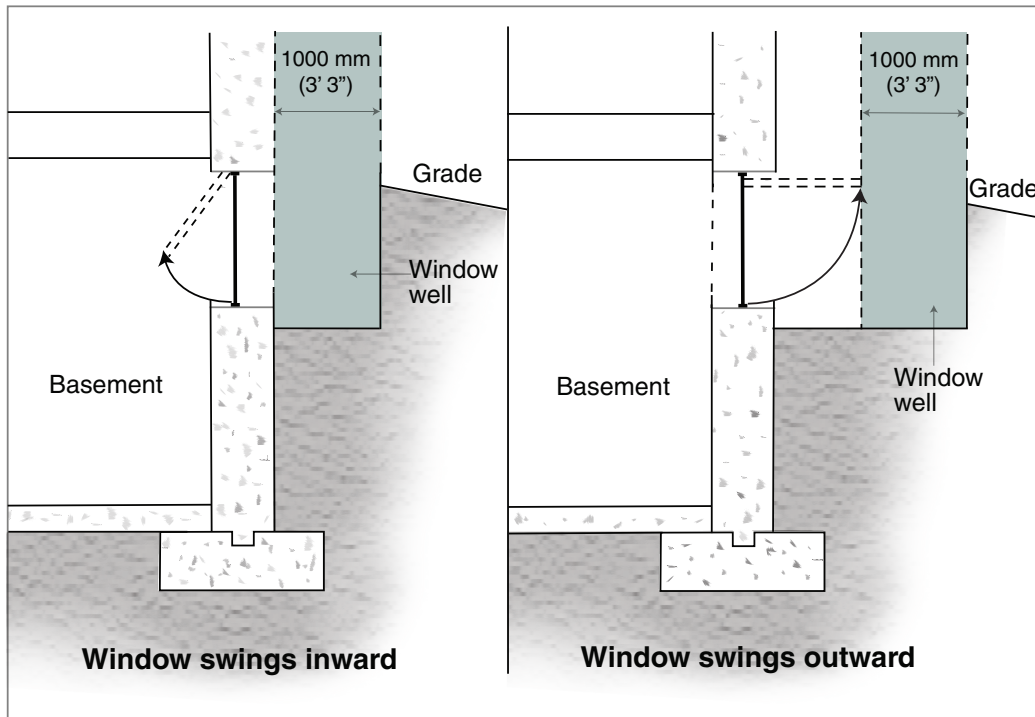


Escape window for upper floors



Note: Sill height no more than 1000 mm (3' 3") above or below adjacent ground level.

Ground floor or basement escape window



Window wells for basement escape windows (sectional view)

## Moving Forward with Your Project

Now that you know the basics for adding a second unit to your house, this can help you make an informed decision on whether to proceed.

As mentioned, and for best results, it is highly recommended you contact your local municipality early in your planning and design process, and also hire qualified professionals to help you.

To find your municipality's website, check out: [ontario.ca/page/list-ontario-municipalities](https://ontario.ca/page/list-ontario-municipalities) There, you can find a contact number for your local building department. You can also **find further information online or at your local building department.**

To read Ontario's Building Code check out:

[ontario.ca/laws/regulation/120332](https://ontario.ca/laws/regulation/120332)

You can check the qualifications of a provincially registered Building Code designer at:

[quarts.mah.gov.on.ca/BCINSearchWeb/search.html](https://quarts.mah.gov.on.ca/BCINSearchWeb/search.html)

**To find out more about second units, visit:**

- The Landlord Self Help Centre website [landlordselfhelp.com](https://landlordselfhelp.com)
- The Canada Mortgage and Housing Corporation – Secondary Suites [cmhc-schl.gc.ca/en/developing-and-renovating/accessible-adaptable-housing/secondary-suites](https://cmhc-schl.gc.ca/en/developing-and-renovating/accessible-adaptable-housing/secondary-suites)



## Second Unit Checklist

Here is a checklist summarizing the important things to consider when adding a second unit to your house:

- ☐ **Municipal Zoning and Other By-Laws**

- ☐ Official Plan Policies
- ☐ Licencing and/or Registration, if applicable
- ☐ Parking, if applicable

- ☐ **Building Permit**

- ☐ **Inspections**

- ☐ **Building Code Requirements for Second Units**

- ☐ Age of your House
- ☐ Location of Your Second Unit
- ☐ Room Size and Floor Area
- ☐ Ceiling Heights
- ☐ Windows
- ☐ Plumbing
- ☐ Heating and Ventilation
- ☐ Electrical Facilities and Lighting
- ☐ Fire Safety
- ☐ Smoke Alarms
- ☐ Carbon Monoxide (CO) Alarms
- ☐ Exits



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Date: December 4, 2019

Report To: Committee of Adjustment

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: Brewery Definitions and Zoning –Zoning By-law Amendment

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Recent meetings with a nanobrewery entrepreneur, and economic development consultant have sparked much discussion about breweries within the Fort Frances community. Currently our zoning by-law does not define different types or scales of breweries, nor the zones in which they may be permitted. The proposed nanobrewery within the downtown business district is not specifically defined at this time, though given the small (nano) scale and “tasting room” atmosphere our planning consultant believes it fits well within our current General Commercial ‘C2’ Zone.

Throughout various discussions it was made aware that there is further interest from another party regarding a proposed microbrewery of larger scale than noted above.

Extensive research has been conducted through audits of multiple zoning by-laws across the province. Supporting information has also been obtained through conversation with a near-by microbrewery.

The intent of this report is to define different scales of brewery operations and to accompany these with general provisions while allocating them into best fit zones.

This matter was considered at the December 2, 2019 session of the Planning and Development Executive Committee with a general consensus of recommendation to approve the proposed amendments.

The following documents are attached:

- Schedule A: Proposed Zoning By-law Amendments

Respectfully submitted

Original Signed By

Cody Vangel, EIT  
Chief Building Official & Municipal Planner



## **Schedule A**

### **Proposed Zoning By-law Amendments**

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#### **Definitions:**

##### **Microbrewery**

A brewery completely contained within a structure that produces 300,000 litres or more, but less than 1,500,000 litres of beer per year.

##### **Nanobrewery**

A brewery completely contained within a structure that produces less than 300,000 litres of beer per year.

#### **General Provisions:**

##### **3.38 Breweries**

No person shall construct, permit to construct, or operate a brewery of any scale unless it complies with all applicable federal, provincial and municipal law and statutes. Brewery operations may be required to submit a wastewater management plan to the Operations and Facilities Division for approval prior to operation. All brewery operations shall comply with section 3.18 of this by-law regarding obnoxious uses. Brewery operations within the Light Industrial zone may not be municipally restricted on production volume but must comply with all federal and provincial production approvals and licenses.

##### **3.38.1 Microbrewery**

Microbreweries sell to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and directly to the consumer through carryout and/or on-site tap-room or restaurant sales. Ancillary tasting of beer shall be permitted.

- a) On-site taproom and restaurant sales shall not be permitted within the Industrial Park.

##### **3.38.2 Nanobrewery**

Nanobreweries sell to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and directly to the consumer through carryout and/or on-site tap-room or restaurant sales. Ancillary tasting of beer shall be permitted.

## Schedule A

### Proposed Zoning By-law Amendments

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#### 4.9 GENERAL COMMERCIAL (C2) ZONE

No person shall within a General Commercial (C2) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

##### 4.9.1 Permitted Uses

- a) accessory dwelling units on a floor above the first storey or on the first floor behind the commercial use
- b) assembly hall
- c) bank or financial institution
- d) clinic
- e) community health and resource centre
- f) crisis centre
- g) day nursery
- h) funeral home
- i) gas bar
- j) hotel
- k) laundromat
- l) motel
- m) offices
- n) parking lot
- o) personal services establishment
- p) post office
- q) private club
- r) recreation or fitness establishment
- s) restaurant
- t) retail store
- u) tavern
- v) taxi or bus depot
- w) work/service shop
- x) microbrewery
- y) nanobrewery

## Schedule A

### Proposed Zoning By-law Amendments

---

#### 4.10 ENTERPRISE (E) ZONE

No person shall within the Enterprise (E) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

##### 4.10.1 Permitted Uses

- a) bank or financial institution
- b) building supply and lumber outlet
- c) car wash
- d) clinic
- e) commercial greenhouse/nursery including retail
- f) convenience store
- g) equipment sales/rental establishment
- h) gas bar
- i) hotel
- j) laboratory
- k) laundromat
- l) motel
- m) motor vehicle service station
- n) motor vehicle parts and accessory sales
- o) motor vehicle sales or rental
- p) office
- q) personal services establishment
- r) recreation or fitness establishment
- s) recreational vehicle sales and service operation
- t) research and development establishment
- u) restaurant
- v) retail store (minimum floor area of 500 m<sup>2</sup>)
- w) tavern
- x) self-storage facility
- y) work/service shop
- z) veterinary hospital
- aa) uses that legally existed as of the date of passing of this By-law
- bb) microbrewery
- cc) nanobrewery

## Schedule A

### Proposed Zoning By-law Amendments

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#### 4.12 LIGHT INDUSTRIAL (M1) ZONE

No person shall within a Light Industrial (M1) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

##### 4.12.1 Permitted Uses

- a) animal shelter or veterinary hospital
- b) building supply and lumber outlet
- c) bulk fuel depot
- d) contractors yards
- e) heavy or light equipment sales and services
- f) manufacturing or processing within an enclosed building
- g) motor vehicle repair garage
- h) motor vehicle body shop
- i) outside storage
- j) public works yard
- k) recycling depot
- l) retail sales accessory to a permitted use not exceeding 35% of the total floor area
- m) self-storage facility
- n) telecommunications tower
- o) transmission towers and hydro-electric substations
- p) transportation depot and rail line uses
- q) warehouse
- r) wholesale sales
- s) work/service shop
- t) microbrewery