

COMMITTEE OF THE WHOLE

June 2, 2026

**Report #PD-2026-08
Noelle Reeve, Planner**

GENERAL AMENDMENTS TO THE COMPREHENSIVE ZONING BY-LAW 02-121

**ADDITIONAL RESIDENTIAL UNITS, MULTIPLE RESIDENTIAL ZONE, GROUP HOMES,
FLOODPLAIN, WATERFRONT, AGRITOURISM**

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, the proposed amendments to Zoning By-Law 02-121 as outlined in Report #PD-2026-08 - General Amendments to Comprehensive Zoning By-Law 02-121 be agreed for public consultation at a Public Meeting to be held in August 2026;

AND THAT, the Planner seek feedback from lake associations, the farm community, social organizations, businesses, environmental groups and others through outreach including at their events over the summer.”

BACKGROUND

Once an Official Plan review is completed, as required by the province every five years, a municipality has three years to amend its Zoning By-Law to conform to the new Official Plan. The County approved the most recent update to the Township’s Official Plan in November 2024. The Planner and consultant from Jp2g have been working on a comprehensive update to the Zoning By-Law for a number of months following Council direction in 2025.

However, some proposed changes to the County Official Plan were only recently adopted by the County, slowing down the schedule for the Township’s comprehensive Zoning By-law update.

The Planner, therefore, proposes to bring changes into the Zoning By-Law in stages.

Tay Valley residents will also be invited to propose corrections to the Zoning By-Law to fix site specific mapping errors they may be aware of. For example, the Planner is currently aware of a property where the Industrial Zone (M) designation is located on the east of the property when the industrial building is actually located in the centre of the property, etc.

DISCUSSION

Changes to the Zoning By-Law are proposed under four topics: housing, environment, and social. New proposed text is identified in red. Text proposed to be removed is identified in ~~red~~.

NOTE: *This wording is for discussion purposes only and will be reviewed by legal counsel prior to a final proposed by-law coming forward.*

1) HOUSING

Based on the number of minor variance requests received, the Planner has determined that current limitations on the distance of a secondary dwelling unit can be from a primary dwelling, and the requirement to share a septic and well (introduced by a previous consultants' amendment) have proven overly limiting and are no longer used in other municipalities. Therefore, a new definition and a new section are proposed as follows:

Remove Definition:

~~SECOND DWELLING UNIT shall mean one or more habitable rooms designed and occupied as an independent dwelling in which living, kitchen and bathroom facilities are provided and which is located entirely within a single dwelling, semi-detached dwelling or townhouse dwelling, as defined herein.~~

Add Definition:

~~ADDITIONAL RESIDENTIAL UNIT shall mean an accessory use to the principal dwelling on the property, consisting of a self-contained residential unit with kitchen and bathroom facilities within a principal single detached, semidetached or townhouse dwelling or within an accessory structure, where food preparation and sanitary facilities are provided, but shall not include a Boarding House, Tourist Lodging Establishments or similar commercial use.~~

The definition shall include:

- ~~a) a second dwelling unit in a detached house, semi-detached house or townhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or townhouse cumulatively contain no more than one dwelling unit;~~
- ~~b) a third dwelling unit in a detached house, semi-detached house or townhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any dwelling units; or~~
- ~~c) one dwelling unit in a building or structure ancillary to a detached house, semi-detached house or townhouse on a parcel of land, if the detached house, semi-detached house or townhouse contains no more than two dwelling units and no other building or structure ancillary to the detached house, semi-detached house or townhouse contains any dwelling units.~~

Remove Section

~~3.19 Second Dwelling Unit and Second Dwelling~~

~~Notwithstanding any provision of this By-law to the contrary, where a single dwelling, a semi-detached dwelling or townhouse dwelling is permitted as a principal use in a zone, a second dwelling unit or a second dwelling, as herein defined, but not both, are permitted on the same lot in accordance with the following provisions:~~

~~1. General~~

- ~~• The second dwelling unit or second dwelling shall comply with the provisions of the Building Code Act.~~
- ~~• The second dwelling unit or second dwelling shall be connected to the same water supply and sewage disposal systems as the principal dwelling.~~
- ~~• Prior to obtaining a building permit for a second dwelling unit or a second dwelling, the applicant shall obtain a septic system approval.~~
- ~~• The maximum floor area of the second dwelling unit or second dwelling shall not exceed 50% of the floor area of the principal dwelling, to a maximum of 80m² in the Residential and Limited Services Residential Zones and 95m² in the Rural and Agricultural Zones.~~
- ~~• The second dwelling unit or second dwelling shall share the driveway entrance to the lot with the principal dwelling.~~
- ~~• A minimum of one parking space shall be provided for the second dwelling unit or second dwelling, in addition to the minimum parking requirements for the principal dwelling.~~
- ~~• The second dwelling unit or second dwelling shall be included in the calculation~~
- ~~• No enlargement or extension to the principal dwelling shall be permitted unless the enlargement or extension conforms to all other applicable provisions of this By-law.~~

~~5. Additional Provisions for Second Dwelling~~

- ~~• An existing accessory building may be partially or fully converted to a second dwelling, except that no habitable room window shall face an interior side lot line or a rear lot line unless the existing accessory building conforms to the minimum side lot line setback and rear lot line setback as is required for the principal dwelling, as the case may be.~~
- ~~• A new accessory building may be constructed as a second dwelling provided that it conforms to all applicable provisions for the principal dwelling.~~
- ~~• The maximum permitted height of a new second dwelling shall be 5m.~~
- ~~• A new accessory building which is constructed as a second~~

Add Section

3.2 Additional Residential Units (ARU)

Notwithstanding any provisions to the contrary, on lands where single detached, semidetached, duplex, or townhouse dwellings are permitted as the principal use of the land and where the lands are located within the A, RU, and R zones, additional residential units (ARUs) shall be permitted, as an accessory use subject to the following provisions:

1. ARUs shall not be permitted within lands identified as subject to flooding or natural hazards.

2. ARUs shall not be permitted within lands identified as having Environmental Protection (EP) zoning.
3. ARUs and any required septic system shall not be permitted within the 30 m setback from water.
4. Each additional residential unit (ARU) shall require the establishment of 1 parking space per unit.
5. The subject property shall comply with the minimum lot area and minimum lot frontage requirements of the zone and shall have frontage on an opened and maintained year-round public road. For the sake of clarity, ARUs shall not be permitted on private roads.
6. The development of the subject property, including the proposed ARU(s) shall not exceed the maximum lot coverage of the zone.
7. A maximum of two (2) additional residential units (ARUs) shall be permitted per property. Up to a maximum of two (2) ARUs may be permitted within a principal residential dwelling. One (1) ARU may be permitted within an accessory structure, provided there is only a maximum of 1 ARU in the principal dwelling.
8. The proposed ARU will be accessed using the existing driveway which accesses principal residential dwelling.
9. The gross floor area of an ARU shall not exceed the gross floor area of the principal residential use.
10. ARUs in an accessory structure shall be limited to a maximum height of 6 m.
11. ARUs located within a principal dwelling shall be connected to the well and septic system that service the principal residential dwelling. ARUs permitted within an accessory structure may connect to existing well and septic systems, should the systems have the capacity to support additional development. Alternatively, an ARU in an accessory structure may be developed on its own private well and septic system.

Update Definition:

BOARDING HOUSE shall mean a Dwelling ~~in which the proprietor supplies for financial gain, lodging with or without meals:~~

- (a) that has a building height not exceeding three storeys and a building area not exceeding 600 m²,
- (b) in which lodging is provided for more than four persons in return for remuneration or for the provision of services or for both, and
- (c) in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants in which the proprietor supplies for financial gain, lodging with or without meals, but it does not include a **Bed and Breakfast**, **Hotel**,

hospital, foster home, home for the aged or other establishment otherwise classified or defined in this By-Law.

Add Definition:

COHOUSING DWELLING UNIT shall mean one or more habitable rooms designed and occupied by persons as an Dwelling in which living, kitchen, and bathroom facilities are provided. Living and kitchen facilities may be a mix of unrestricted exclusive or shared use based upon resident agreements with other Cohousing Dwelling Units on the same Lot. Each Cohousing Dwelling Unit shall contain a bathroom unit for exclusive use. Each Cohousing Dwelling Unit shall have an independent entrance from outside the building or a common hallway or stairway inside the building.

Add Definition:

CONVERTED DWELLING shall mean a Building originally constructed as a Dwelling which has been converted but not enlarged by partition and/or the addition of sanitary and cooking facilities into not more than four Dwelling Units.

Add Definition:

FOURPLEX shall mean a Building which is divided horizontally or vertically into four Dwelling Units, each of which has an independent entrance, either directly or through a common vestibule.

Add Definition:

TRIPLEX shall mean a Building which is divided horizontally or vertically into three Dwelling Units, each of which has an independent entrance, either directly or through a common vestibule.

Update Definition:

GROUP HOME, TYPE A shall mean a Dwelling which is occupied by 3 to 10 ~~unrelated~~ residents who, by reason of their emotional, mental, social or physical condition or legal status, require a supervised family living arrangement for their well-being. A **Type A** group home may be occupied as the residence by the staff or receiving family. A **Type A** group home does not include a residence for custodial supervision, foster homes, **Boarding Houses**, or other uses defined herein to distinguish between those.

GROUP HOME, TYPE B shall mean a Dwelling in which residents live together under custodial supervision consistent with the specialized needs of its residents. A Young Offenders Type B group home shall be licensed or approved by the Ministry. An Adult Offenders Type B group home, or Community Resource Centre, shall be licensed or approved by the Ministry.

“3.8 Group Homes

~~Group homes shall be permitted in the General Residential, Rural and Institutional zones in accordance with the following:~~

- ~~1. The maximum number of group homes in the Township shall not exceed 1 per 1,000 permanent resident population.~~
- ~~2. The minimum separation distance between two group homes shall be 500 m.~~

~~3. A group home shall be located a minimum of 30 m from any dwelling on another lot.~~

1. Type A Group Homes shall be a permitted use in all zones in which a Dwelling, Semi-Detached Dwelling, or Duplex Dwelling is permitted as a principal use.
2. Type A Group Homes may be permitted in both units of Semi-Detached or Duplex Dwelling, provided that both units are occupied by one Type A Group Home operation and that the total number of residents (excluding staff or receiving family) in both units combined does not exceed ten.
3. Type B Group Homes shall be permitted subject to a site specific Zoning By-Law Amendment.

New Zone

5.5 Multiple Residential (RM)

Within the Multiple Residential (MS) Zone, no person shall use any land, erect, alter, enlarge, use or maintain any Building for any use other than as permitted in this section and also such use or Building shall be in accordance with the regulations contained or referred to in this section.

1. Permitted Uses

Apartment Dwelling
Cohousing Dwelling Units
Converted Dwelling
Duplex Dwelling
Fourplex
Multiple Dwelling
Semi-Detached Dwelling
Townhouse Dwelling
Triplex

2. Zone Provisions

- Lot Area (minimum) 4,050 m²
 - Per dwelling unit in access of first four units 1,000m²
- Lot Frontage (minimum)
 - Per dwelling unit 20 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 10 m
 - Interior Side 6 m
 - Rear 7.5 m
 - Dwelling Height (maximum) 11 m
 - Lot Coverage (maximum) 20%

3. Additional Provisions

None.

4. Exception Zones

R5-1 (Part Lot 17, Concession 6, North Burgess)
By-Law 2025-020 Roll# 911-020-43920

Notwithstanding the provisions of Section 5.5.2, on the lands zoned R5-1 the following provisions shall prevail:

- Dwelling Unit Area (minimum) 33m²

2) WATERFRONT and ENVIRONMENT

Update Definition:

FLOODPLAIN shall mean the area, usually lowlands adjoining a watercourse, which has been or may be subject to flooding hazards ~~below the 1:100 year flood line.~~

The Mississippi Valley Conservation Authority (MVCA) held a public meeting earlier this year on its new floodplain mapping for the Fall River and Bennett Lake and subsequently adopted the new mapping. The Township will incorporate this new MVCA mapping into its General update to the Zoning By-Law. (See Attachment 1.)

Update Definition:

LOT AREA shall mean the total horizontal area within the Lot Lines of a lot, excluding the horizontal area of such Lot covered by water, or within the Floodplain (FP) or Environmental Protection (EP) zones, provided that only the Lot area lying within the zone in which a proposed use is permitted may be used in calculating the minimum Lot area under the provisions of this By- Law for such permitted use.

New Definition:

NARROW CHANNEL shall mean a waterbody where the distance from shore to shore is 150 meters or less.

Addition to Section

3.1. Accessory Uses

3. Marine facilities are not permitted in a Narrow Channel where a hazard to navigation would result as identified by the approval authority.

New Definition:

WETLANDS shall mean lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

New Section

3.3 Environmental Design Requirements for Shoreline Properties

For shoreline properties adjacent to a waterbody, the following environmental design requirements shall apply to new development:

1. The retention of existing shoreline vegetation (i.e. shoreline buffer area) shall be required for a depth no less than 15 m (49.2 ft.) from the highwater mark. For a lake trout lake, or a sensitive lake the retention of existing shoreline vegetation shall be a minimum depth of 30 m (98 ft) from the highwater mark.
2. The enhancement or rehabilitation of the shoreline buffer area with native species shall be encouraged. The cutting or removal of trees, shrubs or ground cover within the shoreline buffer area shall not be permitted, except for the removal of dead or diseased trees, debris, noxious plants, invasive species within the shoreline buffer area.
3. Notwithstanding the above, a landscaped corridor of not greater than 6 m (20ft.) in width to provide access between the Dwelling and shoreline shall be permitted within the shoreline buffer area.
4. Shoreline Structures such as retaining walls, sheet metal pilings, gabion (rip-rap) or groynes shall not be permitted except where required for erosion control or conservation purposes and only where such Structures have been designed or recommended by a professional in the field of environmental design. All such shoreline Structures shall require the approval of the relevant public authority having jurisdiction (i.e. Conservation Authority, Province, Parks Canada).
5. Permits are required from the relevant Conservation Authority for fill, site alteration or construction within areas regulated by fill and construction regulations.
6. Stormwater shall be directed away from the shoreline through the use of sediment traps, settling ponds, and low impact design features such as swales.
7. These provisions are in addition to any site-specific controls required under a registered site plan control agreement.

3. SOCIAL/ECONOMIC

New Definition:

AGRI-TOURISM shall mean the use of any Lot or Building which is complementary to a principal Agricultural Use on a Lot and which provides education and activities to experience and enjoy the agricultural way of life in the rural area. Such activities may include farm machinery and equipment exhibitions, farm-tours, petting zoos, corn mazes, hayrides, sleigh rides, processing demonstrations, pick your own produce/products, farm-themed playgrounds, educational facilities, etc. that focus on farming instruction or other similar activities. Agri-Tourism may include accessory retail sales.

New Section

3.8 Illumination

Where lighting facilities are provided in conjunction with any permitted use, such lighting shall be arranged as to project light only onto the subject property and away from any adjoining lands or the sky.

- a. Lighting fixtures, designed to illuminate wharves and other waterfront facilities, which are not public uses, shall be installed with the light directed downward and away from the water.
- b. Lawn lamps may be located at the edge of any driveway or laneway and shall be located so as not to interfere with nighttime traffic movement or from adjoining lands or sky. Illumination shall not cause direct or indirect glare on a Street or private road that may interfere with traffic or pedestrian safety.
- c. All lighting fixtures, in all zones, other than those specified elsewhere in this By-Law, which are designed for exterior illumination and which are not public uses, shall be installed with the light directed and deflected away from adjacent Lots and Streets and/or private roads and be full cutoff in design, such that it does not cause light pollution or light trespass. Such lighting fixtures shall not be more than 9 m (29.5 ft) above finished grade and no closer than 4.5 m (14.8 ft) to any Street Line.

Updated Section

3.1 Accessory Uses

6.

2. The maximum height of an Accessory Building ~~or structure~~ shall be ~~5.0m~~ 6.0m

Updated Section

3.30 Yard and Water Setback Encroachments

- An attached unenclosed porch, open and unroofed porch, deck, balcony, exterior stairs or landing may project from the main building into the existing water setback by a maximum of ~~2m~~ 3m provided:
 - the water setback of the existing principal Dwelling building is equal to or greater than 15m and less than 30 m,

Updated Definition

HOME-BASED BUSINESS shall mean an occupation, trade, profession or craft, for gain or profit, conducted as an accessory use ~~to the use of a~~ permitted residential use dwelling.

Updated Definition

BED AND BREAKFAST shall mean a business conducted in a ~~detached~~ Dwelling in which the resident owner supplies for financial gain a maximum of three guest bedrooms for the purpose of providing temporary lodging on a daily basis to the travelling public. Such an establishment may offer meals to those persons temporarily residing in the establishment (guests).

Updated Sections

5.1. General Residential

Within the Residential (R) Zone, no person shall use any land, erect, alter, enlarge, use or maintain any Building for any use other than as permitted in this section and also such use or Building shall be in accordance with the regulations contained or

referred to in this section.

1. Permitted Uses

~~Single Dwelling~~
~~Semi-Detached Dwelling~~
~~Duplex Dwelling~~
~~Additional Residential Unit~~
Bed and Breakfast
Group Home – Type A
~~Home-Based Business~~

2. Zone Provisions

- Lot Area (waterfront lots) 0.8ha
- Lot Frontage (waterfront lots) 91m
- ~~• Dwelling Unit Area (minimum) 75 m²~~
- Dwelling Height (maximum) 9m 11m
- ~~• Dwellings per Lot (maximum) 1~~

5.2. Seasonal Residential

Within the Seasonal Residential (RS) Zone, no person shall use any land, erect, alter, enlarge, use or maintain any Building for any use other than as permitted in this section and also such use or Building shall be in accordance with the regulations contained or referred to in this section.

2. Zone Provisions

- Lot Area (waterfront lots) 0.8ha
- Lot Frontage (waterfront lots) 91m
- ~~• Dwelling Unit Area (minimum) 75 m²~~
- Dwelling Height (maximum) 9m 11m
- ~~• Floor Space Index (maximum) 12%~~

5.3. Limited Services Residential

Within the Limited Services Residential (RLS) Zone, no person shall use any land, erect, alter, enlarge, use or maintain any Building for any use other than as permitted in this section and also such use or Building shall be in accordance with the regulations contained or referred to in this section.

1. Permitted Uses

~~Single Dwelling~~

2. Zone Provisions

- Lot Area (waterfront lots) 0.8ha
- Lot Frontage (waterfront lots) 91m
- ~~Dwelling Unit Area (minimum) 75 m²~~
- Dwelling Height (maximum) ~~9m~~ 11m
- ~~Floor Space Index (maximum) 12%~~

OPTIONS CONSIDERED

Option 1: (Recommended) Proceed with a General Amendment to Comprehensive Zoning By-Law 02-121

These proposed changes have arisen from changes to the Official Plan, comments from the public, and working with the Zoning By-Law.

Option 2: Propose different amendments for a General Amendment to Zoning By-Law 02-121

Council may suggest additions for amendments or postpone some of the suggested amendments.

STRATEGIC PLAN LINK

Strong Community - increase the range of housing options available to current and future residents.

Healthy Environment – provide shoreline protection, night sky protection, new floodplain mapping for the Fall River and Bennett Lake and the Mississippi River, restrictions on encroachment along Big Rideau Lake/UNESCO World Heritage Site.

Thriving Economy – Agritourism definition expanded, illumination constraints, increased height and deck encroachment.

FINANCIAL CONSIDERATIONS

None.

CONCLUSIONS

The province requires municipalities to update their Zoning By-Law to match their updated Official Plan which this report proposes to do. Additional suggestions have been provided by the public and through working with the Zoning By-Law over the past 5 years.

Other changes to the Zoning By-Law will be proposed later in 2026 or 2027.

ATTACHMENTS

Attachment 1 Floodplain mapping for the Fall River, Bennett Lake, and the Mississippi River.

Prepared and Submitted By:

Original Signed

**Noelle Reeve,
Planner**

Approved for Submission By:

Original Signed

**Amanda Mabo,
Chief Administrative Officer**

ATTACHMENT 1
NEW FLOOD PLAIN (FP) ZONE
FALL RIVER ,BENNETT LAKE, UPPER MUD LAKE, MISSISSIPPI RIVER

