

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2023-038

### A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED

#### SECTION 2 DEFINITIONS, SECTION 4.2 ZONES AND ZONE SYMBOLS, AND SECTION 5 RESIDENTIAL ZONES AMENDMENT TO COMPREHENSIVE ZONING BY-LAW NO. 02-121

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**WHEREAS**, the *Planning Act, R.S.O. 1990, Chapter P.13 Section 34 as amended*, provides that the Councils of local municipalities may enact by-laws regulating the use of land and the erection, location and use of buildings and structures within the municipality;

**AND WHEREAS**, By-Law No. 2002-121, as amended, regulates the use of land and the erection, location and use of buildings and structures within Tay Valley Township;

**AND WHEREAS**, the Council of the Corporation of Tay Valley Township deems it advisable to amend By-Law No. 2002-121, as amended, as hereinafter set out;

**AND WHEREAS**, this By-Law implements the polices and intentions of the Official Plan for Tay Valley Township;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township enacts as follows:

#### 1. GENERAL REGULATIONS

- 1.1 **THAT**, Section 2 (Definitions) is hereby amended by adding the following definition between Carport and Cellar:

**COHOUSING DWELLING UNIT** shall mean a building containing two or more dwelling units designed and occupied by persons as an independent dwelling in which living and kitchen facilities are shared. Living and kitchen facilities may be a mix of exclusive or shared use. Each dwelling unit within the building shall contain a bathroom for exclusive use of the dwelling unit, but which is not required to contain exclusive living and kitchen facilities. Each dwelling unit shall have an independent entrance from outside the building or a common hallway or stairway inside the building.

- 1.2 **THAT**, Section 4.2 (Zones and Zone Symbols) is hereby amended by adding two new zone names and symbols after the General Residential Zone as follows:

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**4.2 Zones and Zone Symbols**

- Residential Five (R5)
- Residential Six (R6)

**1.3 THAT, Section 5 (Residential Zones) is hereby amended by adding two new zones after 5.4 Mobile Home Park Residential as follows:**

**5.5 Residential 5 (R5)**

**1. Permitted Uses**

Cohousing dwelling units  
Duplex dwelling  
Multiple dwelling  
Semi-detached dwelling  
Townhouse dwelling

**2. Zone Provisions**

- Lot Area (minimum)
  - Multiple dwelling 4,050m<sup>2</sup>
  - All other 2 ha
- Lot Frontage (minimum)
  - Lots in **Hamlet** designation in Official Plan 45 m
  - All other lots 60 m
- Yards (minimum)
  - Front 10 m if screened from road by topography or vegetation otherwise 20m
  - Exterior Side 10 m
  - Interior Side 6 m
  - Rear 7.5 m
- Dwelling Unit Area (minimum) 231m<sup>2</sup>
- Dwelling Height (maximum) 11 m (three storeys)
- Lot Coverage (maximum) 20%
- Dwelling Units per Lot (maximum) 5

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**3. Additional Provisions**

**1. General Provisions**

Must have frontage on an Improved Street and all dwelling units must share a single entrance.  
Must not be located on waterfront.

**5.6 Residential Six (R6)**

**1. Permitted Uses**

Cohousing dwelling units  
Duplex dwelling  
Multiple dwelling  
Semi-detached dwelling  
Townhouse dwelling

**2. Zone Provisions**

- Lot Area (minimum)
  - Multiple dwelling 1 ha
  - All other 2 ha
- Lot Frontage (minimum)
  - Lots in **Hamlet** designation in Official Plan 45 m
  - All other lots 60 m
- Yards (minimum)
  - Front 10 m if screened from road by topography or vegetation otherwise 20m
  - Exterior Side 10 m
  - Interior Side 6 m
  - Rear 7.5 m
- Dwelling Unit Area (minimum) 231m<sup>2</sup>
- Dwelling Height (maximum) 11 m (three storeys)
- Lot Coverage (maximum) 20%
- Dwelling Units per Lot (maximum) 20

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**3. Additional Provisions**

**1. General Provisions**

Must have frontage on an Improved Street and all dwelling units must share a single entrance.  
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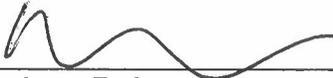
**1.4 THAT,** this By-Law shall come into force and effect with the passing thereof, in accordance with *the Planning Act*, as amended.

**2. ULTRA VIRES**

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

**3. EFFECTIVE DATE**

ENACTED AND PASSED this 24<sup>th</sup> day of August 2023.

  
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Robert Rainer, Reeve



  
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Amanda Mabo, Clerk