



Planning Advisory Committee Report

To: To the Chair and Members of the Planning Advisory Committee
From: Jessica Kitchen, Planner-Zoning Administrator
Date: July 10, 2019
Subject: PA-19-30A
Purpose: For Recommendation and Approval

Recommendation

That the Planning Advisory Committee receives report PA-19-30A for recommendation and all proposed housekeeping amendments to By-Law 61-16, outlined within this report and Amending By-Law as attached, **be Approved.**

Key Strategic Priority

To undertake specific actions that elevate the effectiveness of the working relationship between Council, Staff and the customers we serve.

Financial Considerations

None, as this is a recommendation report concerning the maintenance and updating of the Comprehensive County of Brant Zoning By-Law 61-16 undertaken by the municipality.

Background

Staff is undertaking a housekeeping amendment to the Comprehensive Zoning By-Law 61-16 which proposes the following changes:

- General amendments such as renumber of the Table of Contents as a result of the proposed changes through this Housekeeping;
- Text errors throughout the document which are noted on an ongoing basis;
- Mapping amendments to Schedule 'A' of By-Law 61-16 to implement changes brought forward through this Housekeeping;
- Amendments to specific sections as outlined through Attachment 1 Proposed Amendments Chart and Attachment 2 Draft Amending By-Law;

This report recommends approval from Committee on the proposed changes as outlined above, within Attachment 1 Proposed Amendments Chart and Attachment 2 Draft Amending By-Law.

Report

The County of Brant Comprehensive Zoning By-Law 61-16 was approved by the Ontario Municipal Board and took effect on January 25th, 2017. Previously there have been three

Housekeeping Amendments which were approved by Council in July, 2017, January, 2018, and March 2019 to amend this newly approved document. Since this time Staff has identified items outlined within Attachment 1 and 2 which require a subsequent amendment.

Planning Act

Section 34 of the Planning Act sets out provisions for Council to pass Zoning By-Laws within Municipalities in order to govern land use, regulate development, and reduce land use compatibility issues. The Act also allows for ongoing amendments to said document from time to time in order to maintain current up to date regulations and policies regarding land use.

Official Plan

The County of Brant Official Plan is a living document which is updated on an ongoing basis and approved in 2012. All proposed amendments within this current housekeeping comply with the current policies as set out within the Official Plan.

Zoning By-Law

The County of Brant Zoning By-Law is a living document and therefore requires Housekeeping Amendments to be undertaken on an ongoing basis. Staff intends on performing Housekeeping Amendments on an annual basis in order to properly maintain the document between the mandatory five year reviews, as per Section 34 of the Planning Act.

The current amendments proposed address the uses relating to cannabis with respects to the modification of wording and terminology used within the current document, inclusion of a comprehensive use of a cannabis production facility, and the increased buffering to sensitive land uses. These changes were based on current policies in place within surrounding neighboring municipalities such as Norfolk County, Haldimand County, City of Brantford, etc.

The amendments proposed are only with respects to production facilities which are licensed through the Government of Canada and are required to meet Federal regulations. There is a requirement for odor mitigation at licensed facilities. These are the only types of facilities which can be regulated within the County of Brant Zoning By-Law without infringing upon the Charter Rights.

Staff have not received any complaints with respects to licensed facilities within the County of Brant to date. Staff will continue to review any and all changes made to Provincial Laws and consider incorporation where appropriate within the Comprehensive County of Brant Zoning By-Law 61-16.

Interdepartmental Considerations

Staff have received comments from the Legal Department with respects to the changes proposed through this amendment process which have been considered and incorporated where necessary. No other comments have been received from internal departments at the time this report was prepared.

Public Considerations

The proposed Housekeeping Amendment has been included within the necessary newspaper (Brantford Expositor) and on the County of Brant Website to ensure all residents within the County are aware of the proposal and will have opportunity to comment on the

proposed amendments of the by-law. This undertaking does not give consideration to Site Specific requests made by Property Owners.

Staff have not received any comments from the Public regarding the proposed amendments at the time this report was prepared.

Recommendation

Staff is recommending that the Housekeeping Amendments be approved as it is consistent with the County of Brant Official Plan and corrects mapping and textual errors identified by Staff in working with the document. Corrections of these errors as identified on an ongoing basis are required in order to maintain function and ensure the document is up to date.

Respectfully submitted,



Jessica Kitchen

Planner-Zoning Administrator

Attachments

1. Proposed Housekeeping Amendment Chart
2. Proposed Draft Amending By-Law

Copy to

1. Rob Trotter, Director of Planning/General Manager of Development Services
2. Jyoti Zuidema, Solicitor

File # ZBA18/19/JK

In adopting this report, is a bylaw or agreement required?

By-law required (YES)

Agreement(s) or other documents to be signed by Mayor and /or Clerk (NO)

Is the necessary by-law or agreement being sent concurrently to Council? (YES)

Attachment 1

Proposed Housekeeping Amendments

Text Cleanup	General Throughout Document
Table of Contents	Amended as needed due to proposed changes throughout the document
Table of Contents	Amend the current wording of medical marijuana and replacing it with cannabis as per the changes to the corresponding Acts which regulate such.
Section 3 Definitions	Amend the current Section to include a defined term for a cannabis production facility as per the changes to the corresponding Acts which regulate such.
Section 3 Definitions	Amend Section 3 by removing the current defined term of medical marijuana production facility as the term will become redundant once the new definition of cannabis production facility is approved.
Section 3 Definitions	Amend the current definition of retail store by removing the word “marijuana” and replacing it with “cannabis” as per the changes to the corresponding Acts which regulate such.
Section 3 Definitions	Remove the existing term for studio and replace it with a more inclusive general term allowing for artists of different mediums.
Section 4, Subsection 4.4 Regulations for Accessory Buildings and Structures, Clause g)	Amendment proposes to clarify the intended 0.0 metres setback for a deck accessory to a semi-detached and/or townhouse dwelling being from the common lot line. All other requirements of the Zone shall apply.
Section 4, Subsection 4.4 Regulations for Accessory Buildings and Structures, Clause e)	Amend the current wording of the maximum gross floor area of residential accessory structures within the Agricultural Zones to be based on the building footprint of the existing dwelling, minus any attached areas for parking, rather than the gross floor area. This allows for the intent of scale of built structures to be maintained.
Section 4, Subsection 4.4, Table 4.1	Amend the current wording of the maximum gross floor area of residential

	accessory structures within the Agricultural Zones to be based on the building footprint of the existing dwelling, minus any attached areas for parking, rather than the gross floor area. This allows for the intent of scale of built structures to be maintained.
Section 4 General Provisions, Subsection 4.23	Amend the current regulations of medical marijuana production facility by removing the word “medical marijuana” and replacing it with “cannabis” as per the changes to the corresponding Acts which regulate such.
Section 4 General Provisions, Subsection 4.23	Amend the current requirements relating to cannabis production facilities to include a minimum setback of 150 metres to any residential or institutional uses whereas currently a minimum of 70.0m is required for cannabis production facilities within the Industrial Zones.
Section 4 General Provisions	Amend the section to allow for renumbering of the section as needed due to changes being made.
Section 5 Parking and Loading Requirements, Subsection 5.7	Delete clauses f) through l) to eliminate confusion and redundancy.
Section 5 Parking and Loading Requirements, Subsection 5.7	Renumber clauses as needed due to proposed changes.
Section 5 Parking and Loading Requirements, Subsection 5.7	Include wording in clause f) through H) which specific all other Zones other than Residential.
Section 5 Parking and Loading Requirements, Subsection 5.7	Include a Table to display information relating to driveway requirements within the residential and non-residential zone categories.
Section 5 Parking and Loading Requirements, Subsection 5.11	Amendment proposes to include a further clause d) which requires all parking for accessory dwelling units to be signed and reserved as such for the residents of the dwellings.
Section 5 Parking Requirements, Subsection 5.12, Table 5.5	Amendment proposes to include a parking ratio for a use which is currently permitted within the By-Law but does not have a corresponding requirement for parking.
Section 5 Parking Requirements, Subsection 5.12, Table 5.5	Amendment proposes to include a parking ratio for a use which is currently

	permitted within the By-Law but does not have a corresponding requirement for parking.
Section 5 Parking Requirements, Subsection 5.12, Table 5.5	Amend the current parking requirements by removing the wording “medical marijuana” and replacing it with “cannabis” as per the changes to the corresponding Acts which regulate such.
Section 5 Parking Requirements, Subsection 5.12, Table 5.5	Amendment proposes to include a parking ratio for a use which is currently permitted within the By-Law but does not have a corresponding requirement for parking.
Section 6, Subsection 6.1 Uses Permitted, Table 6.1: Uses Permitted	Amend the current uses permitted by amending the existing use of a medical marijuana production facility and replacing it with cannabis production facility as per the changes to the corresponding Acts which regulate such.
Section 6, Subsection 6.1 Uses Permitted, Table 6.1: Uses Permitted	Amend the current uses permitted by removing the use of “medical marijuana production facility” as this will become redundant with the inclusion of cannabis production facility.
Section 6, Subsection 6.3 Special Exceptions	Amendment to remove a duplicate exception number awarded to two separate parcels. A new exception number has been created for one of the parcels to avoid any confusion in future.
Section 7, Subsection 7.1 Uses Permitted, Table 7.1: Uses Permitted	Amend the current uses permitted by adding the additional use of a cannabis production facility as per the changes to the corresponding Acts which regulate such.
Section 7, Subsection 7.1 Uses Permitted, Table 7.1: Uses Permitted	Amend the current uses permitted by removing the word “marijuana” and replacing it with “cannabis” as per the changes to the corresponding Acts which regulate such.
Section 8 Urban Residential Zones, Subsection 8.6 Special Exceptions RM2 Zone	Amend the current Special Exceptions to include an additional Site Specific clause to eliminate a duplicate exception number awarded to two parcels in error. This will assist in eliminating any confusion in future.

Section 10, Subsection 10.3 Accessory Dwellings	Amend the existing clauses with regards to the wording of “accessory dwelling” to create a plural tense reflecting the intent of County of Brant Official Plan and Zoning By-Law.
Section 10, Subsection 10.4 Regulations for Existing Dwellings	Amend the current subsection by removing the word “rebuild” and replacing it with “renovate” to ensure consistency between the wording of the clause and overall intent of the By-Law.
Section 10, Subsection 10.7, Site Specific C1-5	Amend the current Site Specific Zoning on the property to reflect the Council approved amendment made through By-Law 43-15.
Section 10, Subsection 10.8 Special Exceptions C2 Zone	Amend the current Site Specific clause C2-26 to reflect the actual wording of the amending By-Law 44-14 which states a minimum setback of 3.0 metres for all yards shall apply.
Section 11, Subsection 11.1 Uses Permitted, Table 11.1: Uses Permitted	Amend the current uses permitted by adding an additional use of cannabis production facility as per the changes to the corresponding Acts which regulate such.
Section 11, Subsection 11.1 Uses Permitted, Table 11.1: Uses Permitted	Amend the current uses permitted by removing the use of “medical marijuana production facility” and replacing it with “cannabis production facility” as per the changes to the corresponding Acts which regulate such.
Section 11 Employment Zones	Amend Table 11.2 to include a more restrictive setback abutting residential and institutional uses.
Section 14 Open Space Zones Subsection 14.1 Uses Permitted, Table 14.1 Uses Permitted	Amend the existing Table concerning the Uses permitted within all Open Space Zones to include a boat house.
Section 14 Open Space Zones Subsection 14.4 Special Exception NH Zone	Amend the Special Exceptions within the NH Zone to include NH-10 previously approved at Council through By-Law 146-18.
Schedule ‘A’ Mapping, Maps 55 and 55B	That Schedule ‘A’ mapping, map numbers 55 and 55B are amended to reflect the changes made through the passing of By-Law 146-18.
Schedule ‘A’ Mapping, Maps 55 and 55B	That Schedule ‘A’ mapping, map numbers 55 and 55B are amended to

	reflect the proposed amendment to correct a duplicate exception number awarded.
Schedule 'A' Mapping, Maps 54, 55 and 55A	Amend the current mapping to correct the Site Specific Zoning on a portion of the lands.

Attachment 2

BY-LAW NUMBER XXX-19

- of -

THE CORPORATION OF THE COUNTY OF BRANT

To amend By-law Number 61-16, the Zoning By-law for the County of Brant, as amended (County of Brant, Housekeeping Amendment)

WHEREAS the County of Brant initiated a review of its Zoning By-law to ensures currency, correct identified errors in mapping and text, and clarify interpretative provisions;

AND WHEREAS the Planning Act empowers a municipality to pass by-laws prohibiting the use of land and the erection, location and use of buildings or structures, except as set out in the by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the County of Brant;

AND WHEREAS the Planning Advisory Committee of the Corporation of the County of Brant has recommended approval of this by-law;

AND WHEREAS the Council of the Corporation of the County of Brant deems it to be desirable for the future development and use of the lands described above;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE COUNTY OF BRANT HEREBY ENACTS as follows:

1. **That** Table of Contents is hereby amended to allow for renumbering as needed due to the subsequent amendments within this by-law.

*Table of Contents section to be renumbered as needed due to the amendments proposed through this Housekeeping By-Law.

2. **That** Table of Contents is hereby amended by removing the wording "...medical marijuana..." and replacing it with "...cannabis..." in relation to the Section of the By-Law 4.23 which refers to a medical marijuana production facility.

*The proposed amendment brings the current document into conformity with the changes made at the Federal and Provincial levels concerning the Access to Cannabis for Medical Purposes Regulations (ACMPR), Cannabis Act (S.C. 2018, c. 16), and Controlled Drug Substances Act (CDSA). These are licensed facilities under the Acts.

3. **THAT** Section 3 Definitions, is hereby amended by adding a defined term for a *cannabis production facility* as follows:

CANNABIS PRODUCTION FACILITY	Means a <i>lot, building or structure used</i> for activities authorized under a license issued by the Federal Minister of Health pursuant to the Cannabis Act under the Controlled Drugs and Substances Act as amended, and may include but are not limited to cultivation, processing, testing, destruction, packaging and shipping of cannabis, but does not include retail of cannabis.
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*The proposed amendment brings the current document into conformity with the changes made at the Federal and Provincial levels concerning the Cannabis Act (S.C. 2018, c. 16) and Controlled Drug Substances Act (CDSA). These are licensed facilities under the Acts.

4. **THAT** Section 3 Definitions, Medical Marijuana Production Facility is hereby amended by removing the current definition as follows:

MEDICAL CANNABIS PRODUCTION FACILITY	Means a <i>lot, building or structure</i> used for producing, processing, testing, destroying, packaging and shipping of Medical Cannabis authorized by a license issued by the Federal Minister of Health, pursuant to the, Access to Cannabis for Medical Purposes Regulations (ACMPR) under the Controlled Drugs and Substances Act.
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*The proposed amendment removes the current defined term which will become redundant with the addition of the new comprehensive term for a cannabis production facility.

5. **THAT** Section 3 Definitions, Retail Store is hereby amended by removing the current wording of “marijuana” and replacing it with “cannabis” as follows:

RETAIL STORE	Means a <i>building</i> where goods, wares, merchandise, articles or things are stored, offered or kept for retail sale or for rental to the public, but does not include any <i>wholesale establishment</i> or an <i>automotive use or cannabis</i> dispensary and/or sales.
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*The proposed amendment brings the current document into conformity with the changes made at the Federal and Provincial levels concerning the Access to Cannabis for Medical Purposes Regulations (ACMPR) and Controlled Drug Substances Act (CDSA).

6. **THAT** Section 3 Definitions, Studio is hereby amended by removing the current term and replacing it as follows:

Term	Definition
Studio	Means a <i>building</i> or part thereof used as the workplace of an artist or photographer, martial arts, or for the instruction of art music, dancing, languages or similar disciplines and includes a <i>crafts shop</i> .

*Section 3 Definitions, Studio is currently very limited within the defined term only giving consideration to a photographer, martial arts, crafts shop or the instruction of arts and languages. It actually does not currently permit an artist in the general sense. The amended definition is proposed to be more inclusive with respects to permitting an artist which may have many different mediums or several, including but should not be limited to photography.

7. **THAT** Section 4 General Provisions, Subsection 4.4 Regulations for Accessory Buildings and Structures, clause g) is hereby amended by removing the existing clause and replacing it with the following:

g) *Decks accessory to a semi-detached dwelling, rowhouse dwelling, street fronting rowhouse dwelling, stacked townhouse dwelling* shall be permitted within the *interior side yard* of the lot 0.0 metres from a common *lot line*. The *setbacks* from all other *lot lines* of the Zone shall apply.

*Amending the clause allows for any decks proposed accessory to a semi-detached and/or townhouse dwelling to be located directly abutting the common lot line of the property at a 0.0m setback, as the principal structure itself could be constructed at such a setback. The change clarifies that all other setbacks of the Zone shall apply to the structure type.

8. **THAT** Section 4 General Provisions, Subsection 4.4 Regulations for Accessory Buildings and Structures, Clause e) is hereby amended by removing the wording "...gross floor area..." and replacing it with "...building footprint of the dwelling, excluding an attached area for parking..." as follows:

e) In an Agricultural or Agricultural Employment Zone, the *gross floor area* of the *accessory buildings* incidental to a *dwelling* shall not exceed 75% of the *building footprint of the dwelling, excluding an attached area for parking*.

*Amendment allows for residential accessory structures within the Agricultural Zones to be up to a maximum of 75% of the building footprint, of the dwelling, excluding any areas attached to the dwelling which are used for parking. This allows for the intent of the By-Law to be maintained when looking at the scale of residential accessory structures relative to the existing dwelling on site. Currently multiple floors of a dwelling being the gross floor area could be utilized to create a much larger accessory structure or multiple accessory structures which could exceed the scale of the dwelling existing on the property. This is not the intent of the By-Law.

9. **THAT** Section 4 General Provisions, Subsection 4.4 Regulations for Accessory Buildings and Structures, Table 4.1 Accessory Use Regulations is hereby amended by removing the wording "...gross floor area..." and replacing it with "...building footprint of the dwelling, excluding an attached area for parking..." as follows:

Regulations	Urban Residential Zones	All other Residential Zones	Accessory to a Dwelling in Agricultural Zones	All other Zones
Lot Coverage, Maximum	15%	15%	10%	In accordance with the zone provisions

<i>Gross Floor Area of Accessory Buildings or Structures, Maximum (square metres)</i>	95	140	Up to a maximum of 75% of the building footprint of the Dwelling, excluding an attached area for parking.	95
<i>Interior Side Yard Setback, Minimum (metres)</i>	1.2	1.5	3	3*
<i>Rear Yard Setback,, Minimum (metres)</i>	1.2	1.5	3	3*
<i>Building Height, Maximum (metres)</i>	4.5	5.0	5.0	5.0

* Notwithstanding the requirements above, where a lot line abuts any Residential Zone, setbacks for accessory use shall be provided in accordance with the main use.

*Amendment allows for residential accessory structures within the Agricultural Zones to be up to a maximum of 75% of the building footprint, of the dwelling, excluding any areas attached to the dwelling which are used for parking. This allows for the intent of the By-Law to be maintained when looking at the scale of residential accessory structures relative to the existing dwelling on site. Currently multiple floors of a dwelling being the gross floor area could be utilized to create a much larger accessory structure or multiple accessory structures which could exceed the scale of the dwelling existing on the property. This is not the intent of the By-Law.

10. **THAT** Section 4 General Provisions, Subsection 4.23 Medical Marijuana Production Facility is hereby amended by removing the wording "...medical marijuana..." and replacing it with "...cannabis..." as follows:

4.23 Cannabis Production Facility

The following provisions apply to a licensed **Cannabis Production Facility**:

- a) No *building or structure* or portion thereof used for **Cannabis Production Facility** situated in Light Industrial Zone (M2) and Heavy Industrial Zone (M3) shall be located closer to any Residential Zone or use, Institutional Zone or use, or Open Space Zone than 70 metres.

b) No *building or structure* or portion thereof *used for* **Cannabis Production Facility** situated in the Agricultural Zone (A) or Agricultural Employment (AE) Zone shall be located closer to any Residential Zone or use, Institutional Zone or use, or Open Space Zone than 150 metres.

c) The facility operations, including *loading spaces* and storage, must be located within in a wholly enclosed *building*. *Loading spaces* may be located within the *rear yard*, not adjacent to a *street*, if the property is fully fenced and the property has security fencing in place. *Loading spaces* shall not be permitted within any *front yard* or any *yard* adjacent to a *street*.

d) *Open storage* is prohibited.

e) All *development* in relation to the establishment of or expansion to a **Cannabis Production Facility** shall be subject to Site Plan Control process.

f) A *building or structure used for security person* for a **Cannabis Production Facility** may be located in the *front yard*.

g) A **Cannabis Production Facility** shall only be permitted in the following Zones:

- (i) Agricultural Zone (A)
- (ii) Agricultural Employment Zone (AE)
- (iii) Light Industrial Zone (M2)
- (iv) Heavy Industrial Zone (M3)

*The proposed amendment brings the current document into conformity with the changes made at the Federal and Provincial levels concerning the Access to Cannabis for Medical Purposes Regulations (ACMPR) and Controlled Drug Substances Act (CDSA). These are licensed facilities under the Acts.

11. **THAT** Section 4 General Provisions, Subsection 4.24 is hereby amended by increasing the required minimum setback of a cannabis production facility within subsection a) from 70.0 metres to **150.0 metres** as follows:

4.24 Cannabis Production Facility

The following provisions apply to a licensed Medical *Cannabis Production Facility*:

- a) No *building or structure* or portion thereof *used for* a **Cannabis Production Facility** situated in Light Industrial Zone (M2) and Heavy Industrial Zone (M3) shall be located closer to any Residential Zone or use, Institutional Zone or use, or Open Space Zone than 150 metres.

12. **THAT** Section 4 General Provisions, is hereby amended to allow for renumbering as needed due to the subsequent aments within this by-law.

*General Provisions section to be renumbered as needed due to the amendments proposed through this Housekeeping By-Law.

13. **THAT** Section 5 Parking and Loading, Subsection 5.7 Specifications for Parking/Loading and Access Regulations for Residential Uses is hereby amended by deleting clauses f) through to l) and renumbering the clauses as needed.

*Currently the By-Law sets out driveway requirements for both residential and non-residential zones however the multiple clauses are confusing and in some instances redundant. The

proposed chart intends to make the requirements easier to understand and simplify the way the information is displayed to the user. Therefore the existing clauses need to be deleted.

14. **THAT** Section 5 Parking and Loading, Subsection 5.7 Specifications for Parking/Loading and Access Regulations for Residential Uses is hereby amended by rewording clause f) as follows:

f) In all Zones other than Residential Zones driveways and parking aisles shall have a minimum unobstructed width of 6 metres where two-way traffic is permitted and 3 metres where only one-way traffic is permitted and is clearly indicated by signs, pavement markings or both.

*The proposed amendment intends to clarify that the clause relates to all Zones other than Residential Zones as currently it is not clear.

15. **THAT** Section 5 Parking and Loading, Subsection 5.7 Specifications for Parking/Loading and Access Regulations for Residential Uses is hereby amended by rewording clause g) as follows:

g) In all Zones other than Residential Zones where a two-way driveway is divided into two one-way driveways by a curb, an area of landscaped open space or any other obstruction, such driveway shall be considered a single access driveway, provided that such driveway does not exceed 10 metres in total width.

*The proposed amendment intends to clarify that the clause relates to all Zones other than Residential Zones as currently it is not clear.

16. **THAT** Section 5 Parking and Loading, Subsection 5.7 Specifications for Parking/Loading and Access Regulations for Residential Uses is hereby amended by rewording clause h) as follows:

h) In all Zones other than Residential Zones nothing in this subsection shall apply to prevent the use of a right-of-way as a means of obtaining access to a parking space, provided the said right-of-way has been specifically established for such purpose.

*The proposed amendment intends to clarify that the clause relates to all Zones other than Residential Zones as currently it is not clear.

17. **THAT** Section 5 Parking and Loading, Subsection 5.7 Specifications for Parking/Loading and Access Regulations for Residential Uses is hereby amended by adding the following Table for driveway regulations:

Table 5.2 Driveway Regulations within the Residential Zones

Residential Zones				All Other Zones
Regulations	Single Detached Dwelling			Single Access or Combined

	Lot Width 11.0 metres or Less	Greater Than 11.0 metres	Second Dwelling Unit	Semi- Detached Dwelling	Mutual Driveway
<i>Minimum Driveway Width</i>	2.8	2.8	2.8	2.8	6.0
<i>Maximum Driveway Width</i>	55% of the lot width or 5.5 metres, whichever is lesser.	50% of the lot width or 8.0 metres, whichever is lesser.	45% of the lot width or 8.8 metres, whichever is lesser.	5.5	10.0
Minimum Setback	0.6 metres from the side lot lines.	0.6 metres from the side lot lines.	0.6 metres from the side lot lines.	0.0 metres from the common lot line and 0.6 metres from the side lot line.	0.6 metres from the side lot lines.

*Currently the By-Law sets out driveway requirements for both residential and non-residential zones however the multiple clauses are confusing and in some instances redundant. The proposed chart intends to make the requirements easier to understand and simplify the way the information is displayed to the user.

18. **THAT** Section 5 Parking and Loading, Subsection 5.11 Parking Space Requirements for Residential Uses is hereby amended by adding the following clause **d)** as follows:

d) All required parking for accessory dwelling units shall be clearly identified, demarcated, and reserved for residents only.

*Currently the By-Law only sets out that any visitor parking on a site required by By-Law must be signed and reserved as such but is silent for accessory dwelling units. The proposed amendment would require any development with accessory dwelling units to provide for reserved parking on site for the residents of said units.

19. **THAT** Section 5 Parking and Loading, Subsection 5.12 Parking Space Requirements for Non-Residential Uses, Table 5.5 Requirements for Non-Residential Zones is hereby amended by amending the current requirement for a medical marijuana production facility and replacing it with "*cannabis production facility*" as follows:

<i>Cannabis Production Facility</i>	1 per 100 m ²
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*The amendment proposed to include a parking ratio for a use which is currently listed as permitted within the By-Law. Without a parking ratio corresponding to the use as listed it forces Staff to make an interpretation which could be challenged by an Applicant.

20. **THAT** Section 5 Parking and Loading, Subsection 5.12 Parking Space Requirements for Non-Residential Uses, Table 5.5 Requirements for Non-Residential Zones is hereby amended by adding the following parking ratio requirement for *farm greenhouse* as follows:

Farm Greenhouse	1 per 100 m ²
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*The amendment proposed to include a parking ratio for a use which is currently listed as permitted within the By-Law. Without a parking ratio corresponding to the use as listed it forces Staff to make an interpretation which could be challenged by an Applicant.

21. **THAT** Section 5 Parking and Loading, Subsection 5.12 Parking Space Requirements for Non-Residential Uses, Table 5.5 Requirements for Non-Residential Zones is hereby amended by adding the following parking ratio requirement for *recycling facility* as follows:

Recycling Facility	1 per 100 m ²
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*The amendment proposed to include a parking ratio for a use which is currently listed as permitted within the By-Law. Without a parking ratio corresponding to the use as listed it forces Staff to make an interpretation which could be challenged by an Applicant.

22. **THAT** Section 6 Agricultural Zone, Subsection 6.1 Uses Permitted, Table 6.1: Uses Permitted is hereby amended by adding the additional use of a *cannabis production facility* as follows:

List of Uses	Permitted
<i>Agricultural Use</i>	•
<i>Aviary</i>	•
<i>Cannabis Production Facility</i>	•
<i>Dwelling, Single Detached</i>	•
<i>Farm Labour Housing</i>	•
<i>Farm Production Outlet</i>	•
<i>Forestry Uses</i> excluding any establishments that either process forestry products or sell processed forestry products such as <i>lumber mills</i> ;	•
<i>Farm Greenhouse</i>	•
<i>Livestock Facility</i>	•
<i>Medical Cannabis Production Facility</i>	•
<i>Shipping Container</i> in accordance with Section 4.35	•

*The proposed amendment brings the current document into conformity with the changes made at the Federal and Provincial levels concerning the Cannabis Act (S.C. 2018, c. 16) and Controlled Drug Substances Act (CDSA). These are licensed facilities under the Acts.

23. **THAT** Section 6 Agricultural Zone, Subsection 6.1 Uses Permitted, Table 6.1: Uses Permitted is hereby amended by removing the use of “medical marijuana production facility” as follows:

List of Uses	Permitted
<i>Agricultural Use</i>	•
<i>Aviary</i>	•
<i>Dwelling, Single Detached</i>	•
<i>Farm Labour Housing</i>	•
<i>Farm Production Outlet</i>	•
<i>Forestry Uses</i> excluding any establishments that either process forestry products or sell processed forestry products such as <i>lumber mills</i> ;	•
<i>Farm Greenhouse</i>	•
<i>Livestock Facility</i>	•
<i>Medical Cannabis Production Facility</i>	•
<i>Shipping Container</i> in accordance with Section 4.35	•

*The proposed amendment removes a term which will become redundant with the proposed inclusion of a cannabis production facility.

24. **THAT** Section 6 Agricultural Zone, Subsection 6.3 Special Exceptions A Zone is hereby amended by adding the following Site Specific Clause to eliminate a duplicate exception number of A-126 awarded in error and replacing it with **A-136** as follows:

By-Law No.	Zone Code	Description
32-18, -19	A-136	Notwithstanding any provision of this by-law to the contrary, within any area zoned A-126 on Schedule “A” hereto, the maximum <i>height</i> of a <i>commercial greenhouse building</i> shall be 7.5 metres. Furthermore, the minimum <i>parking spaces</i> required shall be 18, plus 2 <i>accessible parking spaces</i> , as of the date of passing of the By-Law. In addition to the foregoing, within any area zoned A-126, a <i>dwelling unit</i> shall be permitted. All other requirements of the By-Law shall apply. (Maps 83 & 84)

*Amend the current Special Exceptions within the By-Law to eliminate a duplicate exception number of A-126 which pertains to two properties. The awarding of a separate site specific number will ensure that no confusion occurs in future.

25. **THAT** Section 7 Agricultural Employment Zone, Subsection 7.1 Uses Permitted, Table 7.1: Uses Permitted is hereby amended by adding the additional use of a *cannabis production facility* as follows:

List of Uses	Permitted
<i>Agricultural Service and Supply Establishment</i>	•
<i>Bulk Sales Establishment</i>	•
<i>Cannabis Production Facility</i>	•
<i>Commercial Greenhouse</i>	•
<i>Contractor's Yard</i>	•
<i>Dwelling, Single Detached accessory to the permitted use</i>	•
<i>Farm Production Outlet</i>	•
<i>Feed Mill</i>	•
<i>Fertilizer Blending Station</i>	•
<i>Agricultural Processing Facility</i>	•
<i>Forestry Use</i>	•
<i>Grain Elevator and Drying Facility</i>	•
<i>Livestock Sales Market</i>	•
<i>Lumber Mill</i>	•
<i>Medical Cannabis Production Facility</i>	•
<i>Nursery and Garden Centre</i>	•
<i>Shipping Container, in accordance with Section 4.35</i>	•
<i>Veterinary Clinic</i>	•

*The proposed amendment brings the current document into conformity with the changes made at the Federal and Provincial levels concerning the Cannabis Act (S.C. 2018, c. 16) and Controlled Drug Substances Act (CDSA). These are licensed facilities under the Acts.

26. **THAT** Section 7 Agricultural Employment Zone, Subsection 7.1 Uses Permitted, Table 7.1: Uses Permitted is hereby amended by removing the use of "medical marijuana production facility" as follows:

List of Uses	Permitted
<i>Agricultural Service and Supply Establishment</i>	•
<i>Bulk Sales Establishment</i>	•
<i>Commercial Greenhouse</i>	•

<i>Contractor's Yard</i>	•
<i>Dwelling, Single Detached accessory to the permitted use</i>	•
<i>Farm Production Outlet</i>	•
<i>Feed Mill</i>	•
<i>Fertilizer Blending Station</i>	•
<i>Agricultural Processing Facility</i>	•
<i>Forestry Use</i>	•
<i>Grain Elevator and Drying Facility</i>	•
<i>Livestock Sales Market</i>	•
<i>Lumber Mill</i>	•
<i>Medical Cannabis Production Facility</i>	•
<i>Nursery and Garden Centre</i>	•
<i>Shipping Container, in accordance with Section 4.35</i>	•
<i>Veterinary Clinic</i>	•

*The proposed amendment will remove a term which will become redundant if the proposed inclusion of a cannabis production facility is approved.

27. **THAT** Section 8 Urban Residential Zones, Subsection 8.3 Special Exceptions R1 Zone is hereby amended by adding the following Site Specific Clauses previously passed at Council through a By-law Amendment:

By-Law No.	Zone Code	Description
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146-18	R1-38	<p>Notwithstanding any provisions of this By-law to the contrary, within any area zoned R1-38 on Schedule “A” hereto, the following development standards shall apply:</p> <p><i>Lot Area (Minimum):</i> 345 m²</p> <p><i>Street Setback (Minimum):</i> 3.0 metres (provided no part of the <i>structure</i> used as a garage is closer than 5.5 metres to the <i>front lot line</i>, and that no garage portion of the <i>dwelling</i> is located nearer to the <i>street line</i> than the <i>habitable</i> part of the <i>dwelling</i>).</p> <p><i>Interior Side Yard Setback (Minimum):</i> 1.2 metres on one side and 0.6 metres on the other side provided there is a minimum of 1.8 metres between <i>dwelling</i>s on two attached <i>lots</i> and provided any permitted encroachment is at least 0.3 metres from a <i>lot line</i>.</p> <p><i>Rear Yard (Minimum):</i> 3.0 metres</p> <p><i>Lot Coverage (Maximum):</i> 65%</p> <p><i>Other:</i> Notwithstanding Section 2.10 (e) Zone requirements, <i>setbacks</i>, <i>lot coverage</i>, and <i>landscaped open space</i> shall be taken from the <i>lot line</i> and not the zone limits. An uncovered <i>deck</i> shall not be considered as part of <i>lot coverage</i>.</p> <p>All other requirements of the By-Law shall apply. (Maps 55 and 55B).</p>
By-Law No.	Zone Code	Description

146-18	R1-40	<p>Notwithstanding any provisions of this By-law to the contrary, within any area zoned R1-40 on Schedule “A” hereto, the following development standards shall apply:</p> <p><i>Street Setback (Minimum):</i> 4.5 metres, except 6.0 metres to a garage.</p> <p><i>Lot Coverage (Maximum):</i> 45%</p> <p><i>Exterior Side Yard Setback (Minimum):</i> 1.2 metres</p> <p><i>Interior Side Yard Setback (Minimum):</i> 0.6 metres on one side and 0.6 metres on the other side provided there is a minimum of 1.8 metres between <i>dwelling</i>s on two attached <i>lots</i> and provided any permitted encroachment is at least 0.3 metres from a <i>lot line</i>.</p> <p>Other: Notwithstanding Section 2.10 (e) Zone requirements, <i>setbacks, lot coverage, and landscaped open space</i> shall be taken from the <i>lot line</i> and not the zone limits. An uncovered <i>deck</i> shall not be considered as part of <i>lot coverage</i>.</p> <p>All other requirements of the By-Law shall apply. (Maps 55 and 55B).</p>
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*The proposed amendment simply proposes to include Site Specific clauses which were approved and enacted through Council approving By-Law 146-18 but were not carried over into the By-Law back in October 2018.

28. **THAT** Section 8 Urban Residential Zones, Subsection 8.6 Special Exceptions RM2 Zone, is hereby amended by adding the following Site Specific Exception **RM2-19** as follows:

174-17, -19	RM2-19	<p>Notwithstanding any provision of this By-Law to the contrary, within any area zoned RM2-19 on Schedule "A" hereto, within any area zoned RM2-19 on Schedule 'A' hereto, the following requirements shall apply;</p> <p>Front Lot Line: Southerly lot line Interior Side Yard (minimum): 3.0m Rear Yard (minimum): 4.7m Lot Coverage (maximum): 45% Building Separation: N/A Section 19(3)(j) and (k) shall not apply.</p>
		<p>a) A lot does not require frontage on a public street; b) Lot area, lot frontage and yards shall be determined as if the private road were a public street; c) A lot is considered to be the land area which constitutes a unit of a Condominium Corporation; d) A rowhouse development with frontage on a private street shall also be permitted; e) That accessory structures (terraces, porches, and decks) be permitted within side or rear yards;</p> <p>All other requirements of the By-law shall apply. (Maps 55 & 55B)</p>

*Amendment proposed to add an additional Site Specific Zoning clause to eliminate a duplicate exception number of RM2-3 awarded to two separate parcels in error. The new exception number RM2-19 will eliminate any confusion in future.

29. **THAT** Section 10 Commercial Zones, Subsection 10.3 Regulations for Accessory Dwellings, is hereby amended by adding an "s" to the wording of "accessory dwellings" within the existing clauses to reflect the intent of the By-Law when permitting the land use as follows:

a) **Accessory dwellings** shall only be permitted in a Commercial Zone if incidental to the permitted commercial use and shall not be located in combination with one or more of the following uses:

- (i) *Automotive use*
- (ii) *Dry cleaning and laundromat*
- (iii) *Taxi stand*
- (iv) *Service and rental establishment*
- (v) *Drive-through facility*

b) The **accessory dwellings** shall be located in the same building and above the ground floor level as the permitted commercial use(s) except that an **accessory dwellings** may be located on the ground floor of a motel or hotel.

c) The **accessory dwellings** shall have a separate *private* entrance from the outside or a common hallway.

d) The *gross residential floor area* of the *building* does not constitute more than two-thirds of the total *gross floor area* of the *building*.

e) Parking for the **accessory dwellings** shall be provided on the same *lot* in addition to the *parking spaces* required for the *main use* in accordance with Section 5.11 of the By-Law.

*The proposed amendment maintains the intent of the By-Law to allow for multiple accessory dwellings within the Commercial Zones where specifically specified as a permitted use, subject to meeting all requirements of the County of Brant Official Plan and Zoning By-Law. The current wording of the clauses are singular and therefore very restrictive and not in keeping with the intent of the County of Brant Official Plan and/or Zoning By-Law.

30. **THAT** Section 10 Commercial Zones, Subsection 10.4 Regulations for Existing Dwellings is hereby amended by removing the word "...rebuilding..." and replacing it with "...**renovations**..." as follows:

10.4 Notwithstanding any other provisions of this section, where in any Commercial Zone a *legally existing dwelling unit* shall be deemed to conform to the requirements of this By-law. Any additions, extensions, **renovations**, or repair to such *dwelling* shall be permitted provided it meets the Zone regulations as if it is located in any Residential Zone.

*Currently with the wording of the existing clause under Section 10 Subsection 10.4 there are permissions to rebuild an existing dwelling within any of the Commercial Zones subject to meeting the requirements of a Residential Zone. This wording essentially allows for what is a Legal Non-Conforming Use within the Commercial Zones to potentially continue to exist in perpetuity. The intent of the By-Law is to allow for and recognize an existing dwelling as a Legal Non-Conforming Use but should the use be removed from the property or demolished than the permitted uses set out within the respective Zone Category must be complied with. The proposed change ensure consistency with respects to the overall intent of the By-Law.

31. **THAT** Section 10 Commercial Zones, Subsection 10.7 Special Exceptions C1 Zone is hereby amended by adding the original By-Law number to the appropriate column within the chart and removing and replacing the existing Site Specific clause as follows:

By-Law No.	Zone Code	Description
43-15, -19	C1-5	Notwithstanding any provision of this By-Law to the contrary, within any area <i>zoned</i> C1-5 on Schedule "A" hereto, the following additional uses shall be permitted: a brewing on premises establishment, the studio of home decorating consultant/interior designer with a secondary retail component, a restaurant with a maximum gross floor area of 278.7m ² (3,000 ft ²), and a wine making facility. All other requirements of the By-Law shall apply. (Maps 19 & 19B)

*Amendment proposes to correct the current Site Specific Zoning on the property to reflect the Council approved amendments made through By-Law 43-15.

32. **THAT** Section 10 Commercial Zones, Subsection 10.8 Special Exceptions C2 Zone is hereby amended by removing the wording of "...rear yard..." and replacing it with "...setback for all yards..." as follows:

158-12, 95-13, 44-14, -19	C2-26	Notwithstanding any provision of this By-Law to the contrary, within any area zoned C2-26 on Schedule "A" hereto, in addition to the uses permitted in the C2 Zone, a <i>pharmacy</i> shall be a permitted use and the minimum setback for all yards shall be 3.0 metres. All other requirements of the By-Law shall apply.
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*Amendment proposes to include the correct wording from the Site Specific Amending By-Law 44-14 which stated all yards shall have a minimum setback of 3.0 metres. The current wording of the By-Law is not only incorrect but more restrictive and removes the rights approved previously by Council.

33. **THAT** Section 11 Employment Zones, Subsection 11.1 Uses Permitted, Table 11.1: Uses Permitted is hereby amended by adding the additional use of a cannabis production facility as follows:

List of Uses	Zones			
	M1	M2	M3	M4
<i>Auction Establishment</i>		•	•	
<i>Auto Body Shop</i>		•	•	
<i>Automobile Repair Garage</i>		•	•	
<i>Automobile Sales or Rental Establishment</i>		•	•	
<i>Banquet Hall</i>	•	•		
<i>Building Supply Outlet</i>		•	•	
<i>Bulk Sales Establishment</i>		•	•	
<i>Cannabis Production Facility</i>		•	•	
<i>Catering Establishment</i>	•	•	•	
<i>Chemical and Pharmaceutical Industry</i>			•	
<i>Contractor's Yard</i>		•	•	
<i>Day Care, accessory to the permitted use</i>	•	•		
<i>Dry Cleaning Establishment</i>			•	

<i>Electrical and Electronic Products Industry</i>		•	•	
<i>Electricity Generation Facility</i>				•
<i>Food Processing Plant</i>			•	

List of Uses	Zones			
	M1	M2	M3	M4
<i>Hotel</i>	•	•		
<i>Impounding Yard</i>			•	
<i>Manufacturing Facility</i>		•	•	
<i>Medical Cannabis Production Facility</i>		•	•	
<i>Mobile Refreshment Cart</i>	•	•	•	
<i>Office, Business/Professional</i>	•	•		
<i>Office Supply Outlet¹</i>	•	•		
<i>Office, Support</i>	•	•	•	•
<i>Open Storage accessory to the permitted use, in accordance with Section 11.4</i>		•	•	
<i>Paper Products Industry</i>			•	
<i>Printing Establishment</i>		•	•	
<i>Processed Goods Industry</i>			•	
<i>Propane Transfer Facility</i>			•	
<i>Recreational Establishment</i>	•	•	•	
<i>Recycling Facility</i>				•
<i>Research and Development Establishment</i>		•	•	
<i>Restaurant</i>	• ²	•	•	
<i>Retail Store accessory to permitted use in accordance with Section 11.2</i>	•	•	•	
<i>Salvage Yard</i>				•
<i>Service and Rental Establishment</i>		•	•	
<i>Shipping Container, in accordance with Section 4.35</i>		•	•	•
<i>Taxi Stand</i>		•		

<i>Transport/Truck Terminal</i>		•	
<i>Veterinary Clinic</i>	•	•	
<i>Waste Disposal Site</i>			•
<i>Waste Transfer Station</i>			•

List of Uses	Zones			
	M1	M2	M3	M4
<i>Warehouse, Public Self Storage</i>		•	•	
<i>Warehouse</i>		•	•	
<i>Wholesale Establishment</i>		•	•	

- a) The maximum gross floor area for an office supply outlet in M1 Zone shall not exceed 930 sq. mt.
- b) Restaurant shall be accessory to the main use in M1 Zone

*The proposed amendment brings the current document into conformity with the changes made at the Federal and Provincial levels concerning the Cannabis Act (S.C. 2018, c. 16) and Controlled Drug Substances Act (CDSA). These are licensed facilities under the Acts.

34. **THAT** Section 11 Employment Zones, Subsection 11.1 Uses Permitted, Table 11.1: Uses Permitted is hereby amended by removing the use of “marijuana production facility” as follows:

List of Uses	Zones			
	M1	M2	M3	M4
<i>Auction Establishment</i>		•	•	
<i>Auto Body Shop</i>		•	•	
<i>Automobile Repair Garage</i>		•	•	
<i>Automobile Sales or Rental Establishment</i>		•	•	
<i>Banquet Hall</i>	•	•		
<i>Building Supply Outlet</i>		•	•	
<i>Bulk Sales Establishment</i>		•	•	
<i>Catering Establishment</i>	•	•	•	
<i>Chemical and Pharmaceutical Industry</i>			•	
<i>Contractor's Yard</i>		•	•	
<i>Day Care, accessory to the permitted use</i>	•	•		
<i>Dry Cleaning Establishment</i>			•	

<i>Electrical and Electronic Products Industry</i>		•	•	
<i>Electricity Generation Facility</i>				•
<i>Food Processing Plant</i>			•	

List of Uses	Zones			
	M1	M2	M3	M4
<i>Hotel</i>	•	•		
<i>Impounding Yard</i>			•	
<i>Manufacturing Facility</i>		•	•	
<i>Medical Cannabis Production Facility</i>		•	•	
<i>Mobile Refreshment Cart</i>	•	•	•	
<i>Office, Business/Professional</i>	•	•		
<i>Office Supply Outlet¹</i>	•	•		
<i>Office, Support</i>	•	•	•	•
<i>Open Storage accessory to the permitted use, in accordance with Section 11.4</i>		•	•	
<i>Paper Products Industry</i>			•	
<i>Printing Establishment</i>		•	•	
<i>Processed Goods Industry</i>			•	
<i>Propane Transfer Facility</i>			•	
<i>Recreational Establishment</i>	•	•	•	
<i>Recycling Facility</i>				•
<i>Research and Development Establishment</i>		•	•	
<i>Restaurant</i>	• ²	•	•	
<i>Retail Store accessory to permitted use in accordance with Section 11.2</i>	•	•	•	
<i>Salvage Yard</i>				•
<i>Service and Rental Establishment</i>		•	•	
<i>Shipping Container, in accordance with Section 4.35</i>		•	•	•
<i>Taxi Stand</i>		•		

<i>Transport/Truck Terminal</i>		•	
<i>Veterinary Clinic</i>	•	•	
<i>Waste Disposal Site</i>			•
<i>Waste Transfer Station</i>			•

List of Uses	Zones			
	M1	M2	M3	M4
<i>Warehouse, Public Self Storage</i>		•	•	
<i>Warehouse</i>		•	•	
<i>Wholesale Establishment</i>		•	•	

- a) The maximum gross floor area for an office supply outlet in M1 Zone shall not exceed 930 sq. mt.
b) Restaurant shall be accessory to the main use in M1 Zone

*The proposed amendment removes term which will become redundant if the new proposed term of cannabis production facility is approved.

35. **THAT** Section 11 Employment Zones, Subsection 11.2 Zone Requirements, Table 11.2 Zone Provisions is hereby amended by changing the rear yard requirements in the column pertaining to the M1 Zone to reflect a more restrictive setback abutting Residential or Institutional uses and a lesser setback abutting any other Zone as follows:

Provisions	Specifications			
	M1	M2	M3	M4
Lot Area , Minimum (sq. m)	1100	1100	1100	1100
Lot Frontage , Minimum (metres)	30.0	20.0	30.0	30.0
Street Setback , Minimum (metres)	9.0	6.0	15.0**	30.0
Interior Side Yard Setback , Minimum (metres)	3.0	3.0	3.0	30.0
Rear Yard Setback , Minimum (metres)	7.5	8.0	8.0	30.0
Any Yard abutting Residential or Institutional Zone (metres)	10.0	10.0	15.0	30.0
Any Yard abutting railway right-of-way (metres)	0	0	0	0
Lot Coverage , Maximum	60%	60%	60%	60%

Landscaped Open Space, Minimum	10%	10%	10%	30%
Building Height, Maximum (metres) *	12.0	12.0	12.0	12.0
Floor Area of Retail Store, Maximum	10% of the <i>gross floor area of the</i>	10% of the <i>gross floor area of the</i>		

*Currently within Section 11, Subsection 11.2, Table 11.2 the requirements are lesser for an M1 use abutting a more sensitive land use such as Residential or Institutional but greater when abutting any other Zone not as sensitive. The graduated setbacks were created to allow for a greater separation distance between land uses which are potential more sensitive. The amendment will correct this.

36. **THAT** Section 14 Open Space Zones, Subsection 14.1 Uses Permitted, Table 14.1: Uses Permitted is hereby amended by adding the use of a **boat house** to all Open Space Zones within the existing chart:

List of Uses	Zones			
	NH	OS1	OS2	OS3
<i>Agricultural Use, Existing</i>	•			
<i>Boat Dock</i>	•	•	•	•
Boat House	•	•	•	•
<i>Boat Ramp</i>	•	•	•	•
<i>Campground</i>			•	•
<i>Cemetery</i>		•		
<i>Community Centre</i>			•	
<i>Fairground</i>			•	
<i>Forestry Uses excluding any establishments that either process or sell processed forestry products such as lumber mills;</i>	•	•		
<i>Golf Course</i>			•	
<i>Mobile Refreshment Cart</i>		•	•	
<i>Place of Worship</i>		•		
<i>Public Park or Private Park</i>			•	•
<i>Stormwater Management Facility</i>	•	•	•	•
<i>Wildlife Management</i>	•	•		

Recreational Establishment		•	
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*Currently a boat house is a defined term within the By-Law and permitted through the further clauses set out within Section 14 thereof however not actually stated as a permitted use within any of the Open Space Zone Categories. Staff is proposing to clarify the intent of the By-Law by making the use which is permitted stated upfront. The defined term prohibits any boat house from being used for human habitation so there is no provision for these structures once established to be used as permanent year round dwellings.

37. **THAT** Section 14 Open Space Zones, Subsection 14.4 Special Exceptions NH Zone is hereby amended by adding the following Site Specific clause previously approved at Council through a Zoning By-Law Amendment:

By-Law No.	Zone Code	Description
146-18	NH-10	Notwithstanding any provision of this By-Law to the contrary, within any area <i>zoned</i> NH-10 on Schedule "A" hereto, the permitted use of land shall be limited to Landscaped Open Space, excluding pedestrian walkways, patio or similar areas. All other requirements of the By- Law shall apply.

* The proposed amendment simply proposes to include Site Specific clauses which were approved and enacted through Council approving By-Law 146-18 but were not carried over into the By-Law back in October 2018.

42. **That** Schedule 'A' Key Map, Maps 55 and 55B are hereby amended by changing the current Zoning on the subject lands from Steep Slope Residential Singles (ss-R1) to Steep Slopes Special Exception Residential Singles (ss-R1-40), as shown on Schedule 'A' of this by-law.

*Schedule 'A' maps are proposed to be amended to reflect the changes approved at Council in October 2018 concerning the approval of By-Law 146-18.

43. **That** Schedule 'A' Key Map, Maps 55 and 55B are hereby amended by changing the current Zoning on the subject lands from Special Exception Residential Singles (R1-18) to Special Exception Residential Singles (R1-40), as shown on Schedule 'A' of this by-law.

*Schedule 'A' maps are proposed to be amended to reflect the changes approved at Council in October 2018 concerning the approval of By-Law 146-18.

44. **That** Schedule 'A' Key Map, Maps 55 and 55B are hereby amended by changing the current Zoning on the subject lands from Steep Slope Special Exception Residential Singles (ss-R1-19) to Steep Slopes Special Exception Residential Singles (ss-R1-38), as shown on Schedule 'A' of this by-law.

*Schedule 'A' maps are proposed to be amended to reflect the changes approved at Council in October 2018 concerning the approval of By-Law 146-18.

45. **That** Schedule 'A' Key Map, Maps 55 and 55B are hereby amended by changing the current Zoning on the subject lands from Special Exception Residential Singles and Semis (R2-20) to Special Exception Residential Singles (R1-40), as shown on Schedule 'A' of this by-law.

*Schedule 'A' maps are proposed to be amended to reflect the changes approved at Council in October 2018 concerning the approval of By-Law 146-18.

46. **That** Schedule 'A' Key Map, Maps 55 and 55B are hereby amended by changing the current Zoning on the subject lands from Steep Slope Special Exception Residential Singles (ss-R1-18) to Special Exception Residential Singles (R1-40), as shown on Schedule 'A' of this by-law.

*Schedule 'A' maps are proposed to be amended to reflect the changes approved at Council in October 2018 concerning the approval of By-Law 146-18.

47. **That** Schedule 'A' Key Map, Maps 55 and 55B are hereby amended by changing the current Zoning on the subject lands from Steep Slope Special Exception Residential Singles (ss-R1-18) to Special Exception Natural Heritage (NH-10), as shown on Schedule 'A' of this by-law.

*Schedule 'A' maps are proposed to be amended to reflect the changes approved at Council in October 2018 concerning the approval of By-Law 146-18.

48. **That** Schedule 'A' Key Map, Maps 55 and 55B are hereby amended by changing the current Zoning on the subject lands from Steep Slope Special Exception Residential Singles (ss-R1-19) to Special Exception Natural Heritage (NH-10), as shown on Schedule 'A' of this by-law.

*Schedule 'A' maps are proposed to be amended to reflect the changes approved at Council in October 2018 concerning the approval of By-Law 146-18.

49. **That** Schedule 'A' Key Map, Maps 55 and 55B are hereby amended by changing the current Zoning on the subject lands from Special Exception Residential Multiple Medium Density (RM2-3) to Special Exception Residential Multiple Medium Density (RM2-19), as shown on Schedule 'A' of this by-law.

*Schedule 'A' maps are proposed to be amended to reflect the change in exception number on a parcel which was awarded a duplicate number in error.

50. **That** Schedule 'A' Key Map, Maps 54, 55, and 55A are hereby amended by changing the current Zoning on the subject lands from Special Exception Residential Multiple Medium Density (RM2-17) to Special Exception Residential Multiple Low Density (RM1-21), as shown on Schedule 'A' of this by-law.

*Schedule 'A' maps are proposed to be amended to reflect the change in Site Specific Zoning on a parcel which was assigned during the first stages of the subdivision and is now overlaid on lands which are not relative.

51. **THAT** this by-law shall come into force on the day it is passed by the Council of the Corporation of the County of Brant.

READ a first and second time, this ___ day of _____ 2019.

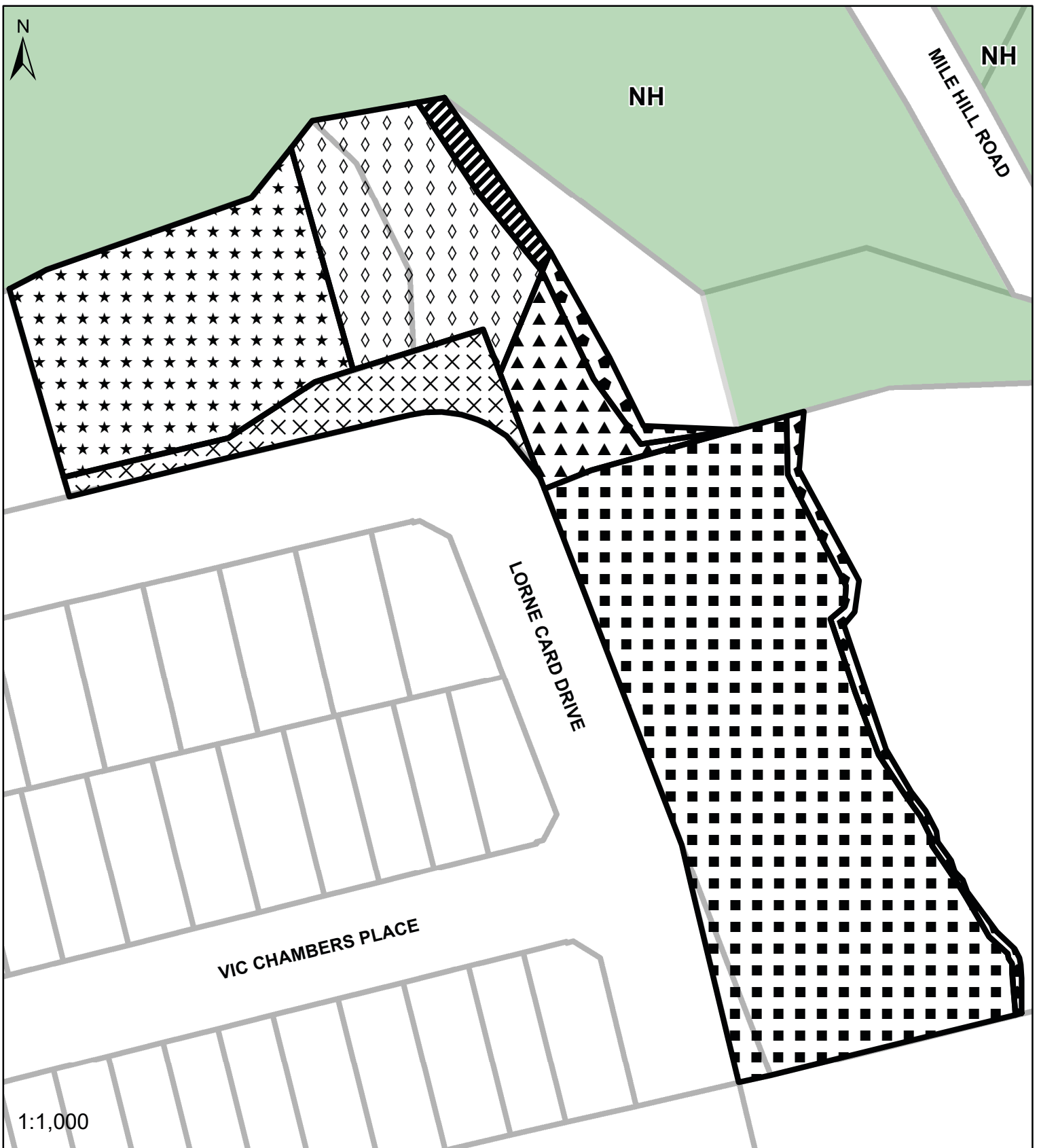
READ a third time and finally passed in Council, this ___ day of _____ 2019.

THE CORPORATION OF THE COUNTY OF BRANT

David Bailey, Mayor

Heather Boyd, Clerk

DRAFT



- | | | |
|--------------------------|-----------------------------|--------------------------|
| - from ss-R1 to ss-R1-40 | - from ss-R1-19 to ss-R1-38 | - from ss-R1-18 to R1-40 |
| - from R1-18 to R1-40 | - from R2-20 to R1-40 | - from ss-R1-18 to NH-10 |
| | | - from ss-R1-19 to NH-10 |





 - from RM2-17 to RM1-21