

Planning & Development Committee

November 2, 2021

ZBA27-21-BK (B. Kortleve)

Technical and Housekeeping Amendments
to the Comprehensive Zoning By-Law



PLANNING & DEVELOPMENT COMMITTEE



Application No: ZBA27-21-BK (B. Kortleve)

Report No: RPT-21-248

Application Type: Zoning By-law Amendment

Location: County-Wide Amendments

Applicant: The County of Brant

Staff Recommendation: Item to be Received
FOR INFORMATION PURPOSES ONLY.

Summary of Application

- Seventh (7th) Housekeeping to the Zoning By-Law
- Ongoing conformity exercise
- Consultation on implementation barriers
- Research for future Official Plan conformity update to the Comprehensive Zoning By-Law (expected to begin 2022)

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Technical Amendments

to address implementation barriers

#	Topic
2.1	Temporary Tent Structures
2.2	Structure Height
2.3	Landscaped Open Space
2.4	Alterations to Legal Non-Conforming Structures
2.5	Accessory On-Site Construction
2.6	Model Homes
2.7	Farm Labour Housing
2.8	Prime Agricultural Land Protection
2.9	Farm Production Outlet Permissions
2.10	Dwellings Surplus to a Farming Operation

#	Topic
2.11	Exterior Stairs
2.12	Sawmills / Lumber Mills
2.13	Personal Clean Energy Devices
2.14	Natural Heritage Refinements
2.15	Additional Residential Units
2.16	Vehicle-For Hire Terminology
2.17	Shipping Containers

Technical Amendments

(2.15) Additional Residential Units

Outside of Settlement Area Boundaries:

- Additional flexibility for **maximum separation** requirements (Figure 1)
- Requirement to use the **same driveway entrance** as primary dwelling
- Limiting the **development area** footprint of ARU projects to protect farmland
- **Improving protection** of Natural Heritage Features and from Natural Hazards.

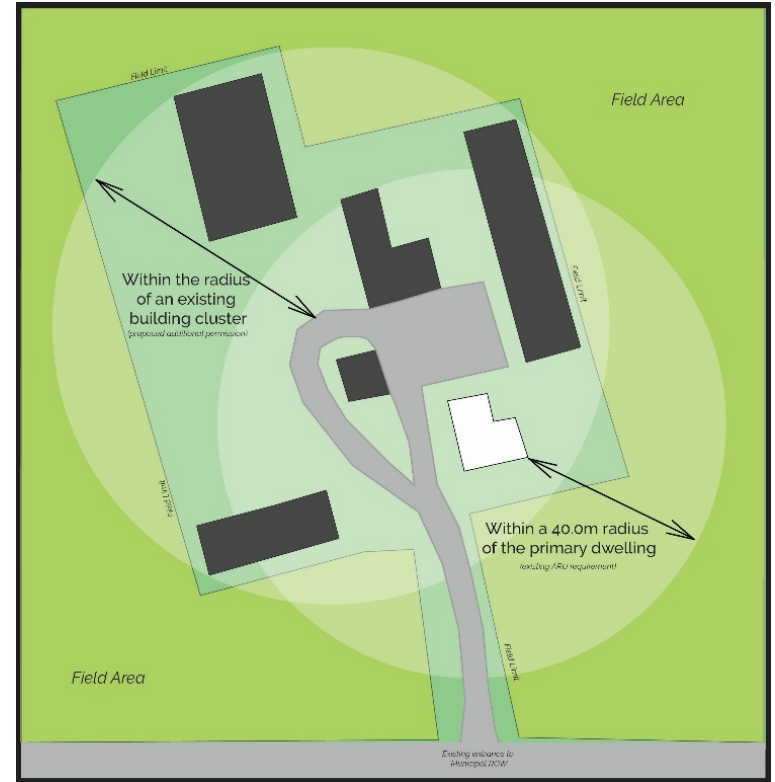


Figure 1. Maximum Separation Requirements

Technical Amendments

(2.17) Shipping Containers

Regulatory History

- Considered a structure under the Building Code
(requires a building permit when over 10m² (108 sq. ft.), as per 2004 ruling)
- First introduced in the County Zoning By-Law in 2014
(Amendment to CZBL 110-01)
- Carried over to CZBL 61-16
(Permanent permissions, but no temporary permissions, 2016)
- Increase in By-Law Enforcement complaints *(2016-2020)*
- Housekeeping amendment to CZBL 61-16
(To differentiate between temporary and permanent use, 2020)
- Legal non-conforming status requires lawful establishment



Current definition encompasses similar structures with common names like moving PODS. Sea Cans, high-cubes etc.

**Current
Definition**
By-Law 61-16

SHIPPING CONTAINER

Means a standardized storage *structure*, or similar, which is typically used for intermodal freight transport.

Technical Amendments

(2.17) Shipping Containers

What is being proposed?

- Reconsideration of the regulatory approach to incorporate desires of residents and businesses
- Public engagement on possible changes
- Public education on current zoning and building requirements



Option	Summary of Proposed Changes	Desired Outcomes
SC-1	Amend the definition of a shipping container to differentiate between regular and modified containers	This change would provide property owners who have non-conforming structures an option to bring a shipping container into compliance with zoning to simply require a building permit application as opposed to a zoning by-law amendment.
SC-2	Remove all references and requirements specific to shipping containers	Existing non-conforming structures could come into conformity by obtaining a building permit. Such a structure would be treated as any building/structure and zoning applied based on its proposed use.
SC-3	Reference to shipping containers structures would be maintained but specific requirements would be removed,	Like SC-2, zoning would be applied as any building/structure based on its proposed use but maintaining reference in the document would provide clarity as a transition to the new regulatory approach.
SC-4	No changes (proposed public education only)	Existing non-conforming structures would continue to be addresses on a complaint basis. Staff will undertake public education to focus on the safety, permissions, and requirements for the placement of a shipping containers on properties within the County of Brant.

Next Steps

- Stakeholder Circulation (*ongoing*)
- Public Engagement & Education (*beginning November 2021*)
- Recommendation Report and Draft By-Law (*Early 2022*)
- Conformity update to the CZBL after the adoption of the New Official Plan (*beginning early 2022*)

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