

**THE CORPORATION OF THE
MUNICIPALITY OF BLUEWATER
DRAFT BY-LAW - 2024**

WHEREAS the Municipal Council of the Corporation of the Municipality of Bluewater considers it advisable to amend ZONING BY-LAW 43-2015, as amended, of the Corporation of the Municipality of Bluewater.

NOW THEREFORE the Council of the Corporation of the Municipality of Bluewater ENACTS as follows:

Proposed additions to the By-law are marked with **bold and underlined** text.
Proposed deletions from the By-law are marked with ~~strikethrough~~.

1. Section 1 of By-law 43-2015 is hereby amended by the addition of the following

1.25 Technical Revisions to the Zoning By-Law

Revisions may be made to this By-law without the need for a zoning by-law amendment in the following cases:

a) correction of numbering, cross-referencing, grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a provision;

b) adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updating or correcting lot line information; updating and correcting infrastructure information; wellhead protection areas; conservation authority regulated lands, and top-of-bank features; keys, legends or title blocks; and

c) changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers which do not form a part of this by-law and are editorially inserted for convenience of reference only.

2. Section 2 of By-law 43-2015 is hereby amended by the addition of the following
ATTACHED GARAGE

a private garage, accessory to a dwelling unit on the same property and connected by a common wall and/or common roof structure. For the purpose of determining lines of setback and *side yard setbacks*, an *attached garage* shall be considered part of the *main building*. **For the purposes of this definition, a wall between a dwelling and an attached garage may be considered “common” as long as at least forty percent (40%) of the length of the attached garage wall is common with the dwelling wall.**

3. Section 2 of By-law 43-2015 is hereby amended by the following
BASEMENT

the portion of a *building* that is partly below finished grade level and has ~~fifty percent of its height from finished floor to finished ceiling above the adjacent finished grade level and in which the height from adjacent finished grade level to the ceiling is less than two (2) metres~~ **a height from floor to ceiling of at least 2.1 metres.**

4. Section 2 of By-law 43-2015 is hereby amended by the following

CRAWLSPACE

the portion of a *building* ~~with more than fifty percent of its height from finished floor to finished ceiling below the adjacent finished grade level.~~ **that is partly below finished grade level and has a height from floor to ceiling of less than 2.1 metres.**

5. Section 2 of By-law 43-2015 is hereby amended by the deletion of the following

DWELLING

a *building* or part thereof, occupied or capable of being occupied as a home, *residence* or sleeping place by 1 or more *persons*, *constructed* on-site, or off-site in parts designed to be transported to a property and where they are joined as integral units and placed on a permanent foundation ~~over a crawlspace or basement~~, but shall not include **recreational vehicles, travel trailers**, tourist trailers, camper and *motor vehicles, hotels or motels*. (As amended by By-law 10-2023)

6. Section 2 of By-law 43-2015 is hereby amended by the addition of the following

EXISTING

in existence, being an actuality as of the date of the final passing of this By-law **and continues to this date**, or for a special *zone*, on the date of the final passing of the By-law establishing the special *zone*.

7. Section 2 of By-law 43-2015 is hereby amended by the deletion of the following

FLOOR AREA

the area of a ~~floor~~ **level** of a *building* measured from the outside of all exterior walls **but excluding any detached accessory buildings/structures, balcony, breezeway, unenclosed sunroom, deck, porch and/or verandah, attic, or crawlspace.** ~~exclusive of any attic, basement, carport, crawlspace, private garage, veranda, enclosed porch or sunroom unless such enclosed porch or sunroom is an integral part of the building and habitable in all seasons, and excluding any floor area with a ceiling height of less than 2 metres.~~

8. Section 2 of By-law 43-2015 is hereby amended by the following

GROUND FLOOR AREA

the *floor area* of the lowest **full** *storey* of a *building* approximately at or first above the average finished grade level, ~~excluding any basement or crawlspace~~, which area is measured between the exterior faces of the exterior walls at the floor level of such *storey*, but:

- a) excludes car parking areas within the *building*; and

- b) for the purpose of this paragraph the walls of an inner court are and shall be deemed to be exterior walls.
9. Section 2 of By-law 43-2015 is hereby amended by the deletion of the following
HABITABLE ROOM
any room within a dwelling unit used or capable of being used for living, eating and sleeping, but excluding a bathroom toilet room, serving or storage pantry, laundry, and corridor.
10. Section 2 of By-law 43-2015 is hereby amended by the following
MOBILE MANUFACTURED HOME
a pre-fabricated dwelling unit occupied or designed for occupancy by one or more persons on a permanent basis, having a floor area of not less than 50 square metres, designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), **a transportable, single or multiple section single detached dwelling for residential permanent occupancy,** placed or designed to be placed on permanent foundations, constructed in conformity with CSA Z240 MH Series, and connected or designed to be connected to public utilities, but shall not include a travel trailer, park model trailer, tent trailer or a trailer otherwise designed, **and conforming with CSA Z240 MH Series of standards at the time of manufacture. It is ready for occupancy upon completion of setup in accordance with required factory recommended installation details**
11. Section 2 of By-law 43-2015 is hereby amended by the following
MOTOR HOME
see “TRAVEL TRAILER” **and “RECREATIONAL VEHICLE”**
12. Section 2 of By-law 43-2015 is hereby amended by the following
PARK MODEL TRAILER
a recreational unit that meets the following criteria:
a) built on a single chassis mounted on wheels;
b) designed to facilitate relocation from time to time;
c) designed as living quarters for seasonal camping and may be connected to those utilities necessary for the operation of installed fixtures and appliances;
d) has a *floor area, including lofts*, not exceeding ~~65~~**50** m²; and
e) designed and *constructed* in accordance with CSA Z241 Series, Park Model Trailers.
13. Section 2 of By-law 43-2015 is hereby amended by the addition of the following
PATIO
An unroofed open area of land at grade or less than 0.2 metres above ground, which may be paved or unpaved.
14. Section 2 of By-law 43-2015 is hereby amended by the addition of the following
RECREATIONAL VEHICLE
a vehicle designed to provide temporary living, sleeping or eating accommodation for travel, vacation, seasonal camping or recreational use and designed to be driven,

towed, transported or relocated from time to time whether or not the vehicle is jacked up or its running gear is removed, and with a size as defined by the Canadian Standards Association (CSA). A recreational vehicle shall include units further described as a motor home, travel trailer, fifth wheel, truck camper, tent trailer, park model trailer and similar mobile vehicles but excludes a manufactured home as described herein and/or a tiny home.

15. Section 2 of By-law 43-2015 is hereby amended by the following
RECREATIONAL VEHICLE SALES AND SERVICE
a building or a structure used for the sale and service of *park model trailers, travel trailers, and/or tent trailers* **recreational vehicles**.
16. Section 2 of By-law 43-2015 is hereby amended by the following
RESIDENTIAL PARK
a property containing 2 or more *residential park* sites and which is under single management and ownership, used for the siting of mobile **manufactured homes**, *modular homes*, and/or built-on-site *dwellings* together with commercial-recreational and service uses for *residential park* residents, including any *building, structure* or enclosure forming a part of such *residential park*.
17. Section 2 of By-law 43-2015 is hereby amended by the following
RESIDENTIAL PARK HOME
a mobile **manufactured home**, *modular home*, or built-on-site dwelling.
18. Section 2 of By-law 43-2015 is hereby amended by the addition of the following
SETTLEMENT AREA
lands designated as a “Settlement Area” on **the Schedules B, and as may be further delineated on Schedules C-L,** of the Municipality of Bluewater Official Plan, as amended.
19. Section 2 of By-law 43-2015 is hereby amended by the following
TOTAL FLOOR AREA
in the case of a *dwelling*, the aggregate of **all floor areas** ~~the areas of all habitable rooms measured from the exterior walls, but excluding any detached accessory buildings/structures, balcony, breezeway, deck, unenclosed sunroom, porch and/or verandah, attic, or crawlspace.~~
In the case of a *building* other than a *dwelling*, the aggregate of ~~the area of all floors~~ **all floor areas** devoted to retail sales, customer service and/or office use measured from the outside face of exterior walls but excluding storage, mezzanine areas, mechanical rooms, common halls, stairwells, garbage and electrical rooms, parking structures and similar uses ancillary to the main use. The *total floor area* in each *zone* applies only to that portion of such property that is located within said *zone*.
20. Section 2 of By-law 43-2015 is hereby amended by the following
TRAILER AND TENT PARK

any land upon which overnight, short term or seasonal accommodation for two or more tents, ***recreational vehicles***, *travel trailers* or *park model trailers* are used or intended to be used for human occupation, which shall not include permanent year-round human occupation of *permitted* tents or trailers, and includes on-site accessory commercial, laundry, social, and recreational facilities.

21. Section 2 of By-law 43-2015 is hereby amended by the following
TRAVEL TRAILER

~~a structure or vehicle designed, intended and used exclusively for the temporary or seasonal living, sleeping or eating accommodation for persons therein during travel, recreation and vacation and which is either capable of being drawn by a passenger vehicle or is self propelled and shall include tent trailers, vans, motor homes and similar transportable accommodation but not a mobile home. Travel trailers that are not self-propelled are built to CSA Z240 RV Series specifications.~~

a recreational vehicle designed to be towed behind a motor vehicle by means of bumper or frame hitch and which is manufactured in accordance with CSA Z-240 RV series of standards.

22. Section 3.2.5 of By-law 43-2025 is hereby amended by the following

3.2.5. Size

In a *settlement area*, except for properties zoned RC2, the total *ground floor area* of all *buildings accessory to a main building* on a property shall not exceed ~~50~~**75**% of the *total floor area* of the main building (including car parking areas within the building) or 10% of the *zone area*, whichever is smaller.

In the RC2 Zone, the total ground floor area of all buildings accessory to a main building shall not exceed 50% of the main building's *ground floor area*.

23. Section 3.2.6 of By-law 43-2025 is hereby amended by the addition of the following

3.2.6. Servicing

Plumbing is permitted in buildings and structures accessory to a dwelling except in the Lakeshore Residential and Bayfield Settlement Area where ~~Plumbing~~ is prohibited in buildings and structures accessory to a dwelling with the exception of hose bibbs, in-floor heating systems and/or swimming pool related equipment/systems.

24. Section 3.2.6 of By-law 43-2025 is hereby amended by the deletion of the following

3.2.7. Accessory Building Containing Additional Residential Unit (ARU)

This provision applies in all zones where an ARU is a permitted use with the exception of the General Agriculture (AG1) and Agricultural Small Holding (AG4) zones.

An accessory building containing an Additional Residential Unit (ARU) is permitted subject to the following:

- An accessory building containing an ARU shall be located in either the rear or interior side yard and shall be no closer than 3 metres to a property line and shall not be located closer to a street than the setback required for the main building;
- Compliance with Section 3.2.5;
- ~~• Notwithstanding Section 3.2.6, servicing is permitted within an accessory building containing an ARU;~~

- One additional on-site parking space is provided for the ARU in addition to the parking requirements for the main dwelling; and
 - The ARU must use the same entrance/driveway as the main dwelling.
- (As amended by By-law 10-2023)

25. Section 3.21.15 of By-law 43-2015 is hereby amended by the addition of the following

The minimum distance between a driveway and an interior side property line shall be:

residential **and core commercial** zones: 1 metre with the exception of rowhouse units where no minimum applies

all other zones: 3 metres

Maximum number of driveways **entrances** per property:

in AG1 Zone: 2 driveways **entrances**

all other properties: 1 driveway **entrance**

With approval through the Municipality's entrance permit approval process, the number of driveways **entrances** may be increased above these maximums **with no more than one additional driveway entrance outside the AG1 Zone** without amendment to this By-law. All entrance permit approvals may be subject to additional municipal, County, and Ministry of Transportation requirements.

26. Section 3.23.10 of By-law 43-2015 is hereby amended by the deletion of the following

3.23.10. Vending From a Vehicle

No ~~lands~~, streets or lanes in the Municipality shall be used by a *portable food outlet* or for the sale of food, goods or wares from the confines of a motor vehicle unless the necessary permission has been obtained from the Municipality.

3.23.5. ~~Mobile~~ **Manufactured** Homes

The location or use of a ~~mobile~~ **manufactured** home in any *zone* is prohibited unless specifically provided for in that zone.

The prohibition on ~~mobile~~ **manufactured** homes does not apply to ~~mobile~~ **manufactured** homes utilized as *Additional Residential Units* (ARU) in any zone where ARUs are otherwise permitted. (As amended by By-law 10-2023)

27. Section 3.26 of By-law 43-2015 is hereby amended by the following

3.26. PROPERTY SIZE FROM AN AGRICULTURAL SEVERANCE

Where ~~an new~~ agricultural property is created by severance **consent granted under Section 53 of the Planning Act** ~~conforms with the Official Plan, and has a minimum zone area between 18 and 38 hectares, the said property~~ **it** is deemed to comply with the minimum zone area **and property frontage** provisions of this By-law. This provision applies to both the severed and retained properties.

28. Section 3.21.11 of By-law 43-2015 is hereby amended by the following

3.21.11. Occupancy of Travel Trailers **Recreational Vehicles and Park Model Trailers**

No person shall, in any zone, use any ***recreational vehicle***, *travel trailer* or *park model trailer* for the purpose of primary residential, permanent living.

In addition to the permitted uses, the occasional short-term, temporary, non-commercial use of a ***recreational vehicle***, *travel trailer* or *park model trailer* is *permitted* for a cumulative maximum of 2 weeks annually provided there is a *main building* on the same property.

29. Section 3.45 of By-law 43-2015 is hereby amended by the addition of the following

3.45 Temporary Buildings and Uses

In all zones, the use of land or a building for a construction office, tool shed, or for the storage of scaffolds, equipment and material which is incidental to and necessary for construction work in progress is permitted for so long as the same are necessary for construction which has neither been finished nor abandoned. In all residential and commercial zones, the temporary use of an existing building on a site during the construction of a building intended to replace such a building (replacement building) is permitted provided that:

a) in no case may such existing building remain undemolished on the site for longer than sixty days after the replacement building is ready in whole or in part for occupancy, or two years after the date of issue of the building permit for the replacement building, whichever comes first.

b) the minimum parking requirements for the use of the existing building on the site continue to be provided on the site until the existing building is vacated.

30. Section 4.5 of By-law 43-2015 is hereby amended by the deletion of the following

~~4.5. NEW AGRICULTURAL HOLDINGS~~

~~Where an agricultural property is created by a consent granted under Section 53 of the Planning Act it is deemed to comply with the minimum zone area and property frontage provisions of this By-law. This provision applies to both the severed and retained parcels.~~

31. Section 6.5.3 of By-law 43-2015 is hereby amended by the addition of the following

6.5.3 General Accessory Structures

Accessory buildings not containing livestock or an ARU are ***permitted only to the rear or interior side of the main dwelling and*** required to meet the following interior side and rear yard minimum setbacks:

-For buildings 10 square metres or less: 1 metre

-For buildings greater than 10 square metres but less than 100 square metres: 3 metres

-For buildings 100 square metres or greater: 5 metres

32. Section 29.5.1 of By-law 43-2015 is hereby amended by the following

29.5.1. Additions to Trailers

Enclosed *structures*, in the form of additions to *travel trailers* or *park model trailers*, are ***not permitted***. ~~as an accessory “add-on” provided the total floor area of the addition(s)~~

does not exceed the *floor area*, height, and does not extend beyond the length, of the *travel trailer or park model trailer*.

29.5.1.2 Deck Structures

- a) **Uncovered deck structures are permitted as accessory to a travel trailer or park model trailer provided that the deck does not exceed the total floor area of the original travel trailer or park model trailer**
- b) **Covered deck structures are permitted as accessory to a travel trailer or a park model trailer, provided the height of the covered structure does not exceed the height of the original travel trailer or park model trailer**
- c) **Total area of all covered and uncovered decks shall not exceed the total floor area of original travel trailer or park model trailer**

33. Section 29.5.4 of By-law 43-2015 is hereby amended by the following
29.5.4. Distance Between Trailers

- a) There shall be a minimum distance of 3 metres between *travel trailers/park model trailers*, including any “add-on” additions having a wall, as well as between a **recreational vehicle**/*travel trailer/park model trailer* and a *building or structure* used for human habitation.
- b) **There shall be a minimum distance of 2 metres between any deck structure and neighbouring recreational vehicles, travel trailers, park model trailers and decks on other sites.**

34. **Zone Map 5 and 5a, By-law 43-2015 are hereby amended as shown on the attached Schedule 2 and 3 of this by-law (Zone Map 5 and 5a).**

35. All other provisions of By-law 43-2015 shall apply.

This by-law shall come into force pursuant to Section 34(21) of the Planning Act, RSO 1990, as amended.

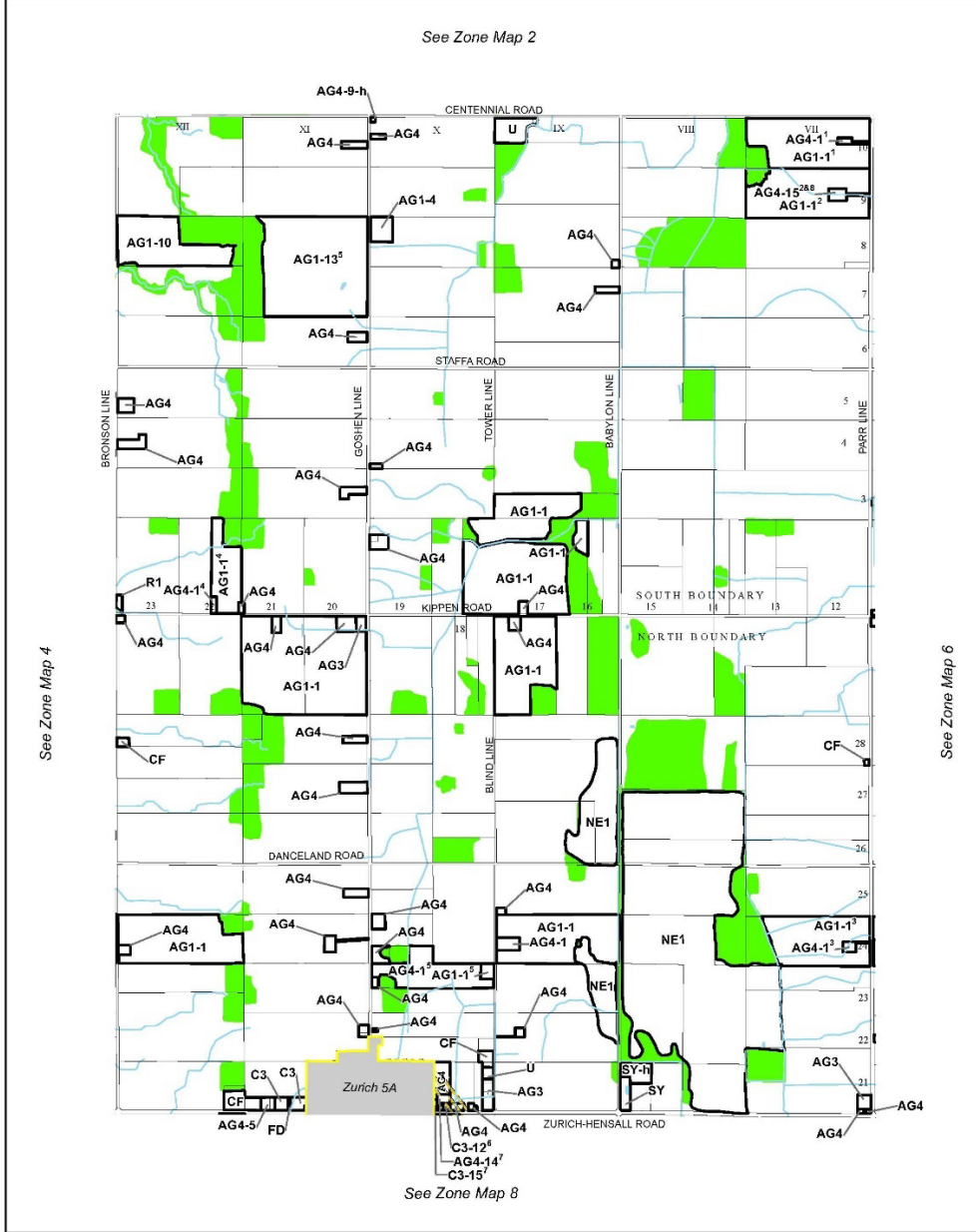
READ A FIRST TIME ON THE _____ DAY OF _____, 2023.
READ A SECOND TIME ON THE _____ DAY OF _____, 2023.
READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2023.

Paul Klopp
Mayor

Chandra Alexander
Clerk

SCHEDULE 2 THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER DRAFT BY-LAW - 2024

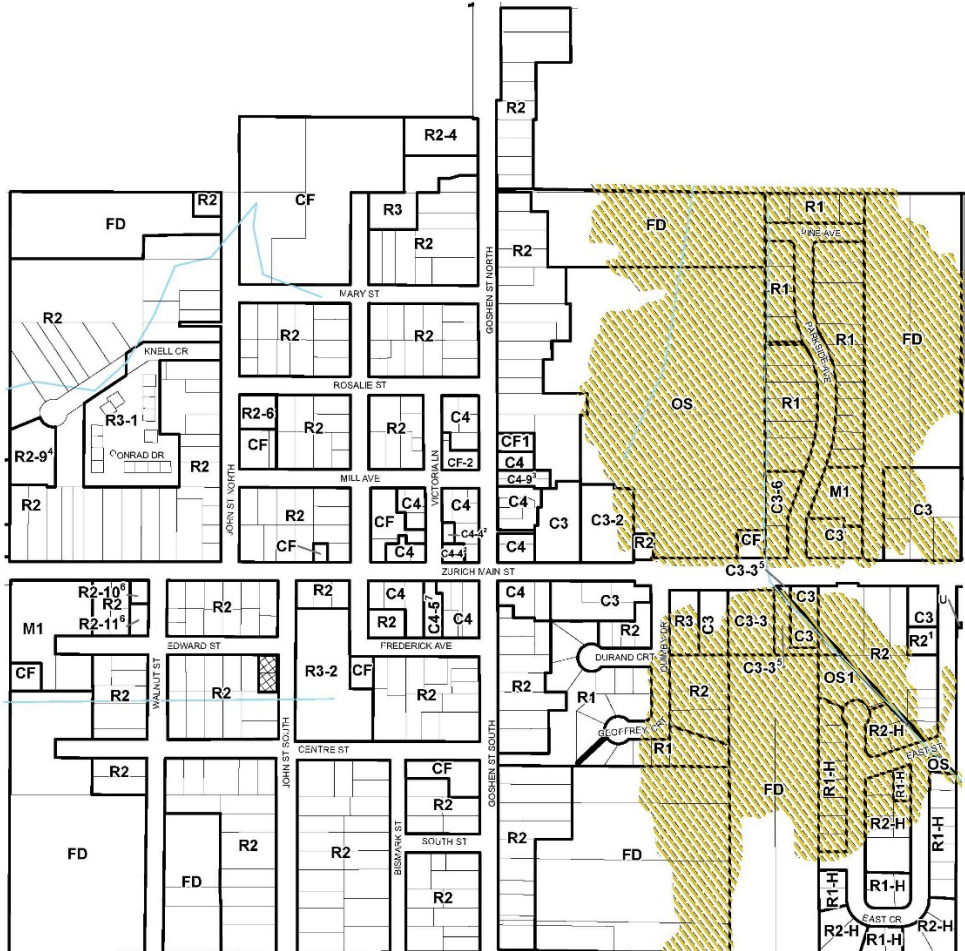
Zone Map 5 Municipality of Bluewater Zoning By-Law Zone Map 5	Amendments 1. Amendment section of consent file B50-2017 2. Amendment section of consent file C87-2018 3. Amendment section of consent file C23-2019 4. Amendment section of consent file C61-2021 5. Amended by Bylaw 9-2022 6. Amended by Bylaw 1-04-2022 7. Amended by By-law 16-2022 (adding street name on trail) 8. Amended by Bylaw 8-2023 9. Amended by Bylaw 12-2024	Revision Date: <u>April 24, 2024</u>
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<ul style="list-style-type: none"> AG1 (Unless otherwise noted) NE2 Flood Fringe NE3 Top Of Bank Watercourses 	<ul style="list-style-type: none"> Waterbodies Parcel Fabric NE Notification Area 	<div style="text-align: center;"> 0 500 1,000 Meters 1:30,000 </div>
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SCHEDULE 3 THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER DRAFT BY-LAW - 2024

Zone Map 5A	Municipality of Bluewater Zoning By-Law Zone Map 5A Zurich	Amendments 1. Amended by By-law 07-2018 2. Amended by By-law 20-2020 3. Amended by By-law 24-2021 4. Amended by By-law 48-2021 5. Amended by By-law 57-2021 6. Amended by By-law 100-2022 7. Amended by By-law 118-2022 (adding the PA line of travel) 8. Amended by By-law 46-2023	Revision Date: <u>April 24, 2024</u>
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AG1 (Unless otherwise noted)	Waterbodies
NE2	Parcel Fabric
Flood Fringe	NE Notification Area
Top Of Bank	
Watercourses	

