

COMMUNITY & DEVELOPMENT SERVICES PLANNING DEPARTMENT P.O. Box 40, 31940 Highway #3 Wainfleet, ON LOS 1V0 Tel: 905-899-3463 Fax: 905-899-2340 www.wainfleet.ca/planning

Township Initiated Zoning By-law Amendment Housekeeping Amendment Z01/2024W

Chart of Proposed Changes

By-law Section	Existing Text	Proposed Amendment				
Section 3: Definitions	 Height means, with reference to a <i>building</i>, the vertical distance measured from the <i>average finished grade</i> level at the front elevation of such <i>building</i> to: a) in the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is greater, and b) in the case of a pitched roof, a point midway between the eaves and the ridge, but in calculating the <i>height</i> of a <i>building</i>, any construction used as ornament or for the mechanical operation of the <i>building</i>, such as a mechanical penthouse, or a chimney, tower, cupola or steeple, is not to be included. 	 Height means, with reference to a <i>building</i>, the vertical distance measured from the <i>average finished grade</i> level of such <i>building</i> to: a) in the case of a flat roof, the highest point of the roof surface, or the parapet, whichever is greater, and b) in the case of a pitched roof, the top of the ridge, but in calculating the <i>height</i> of a <i>building</i>, any construction used as ornament or for the mechanical operation of the <i>building</i>, such as a mechanical penthouse, or a chimney, tower, cupola or steeple, is not to be included. 				
	Home Industry means a small scale <i>use</i> , providing a service primarily to the rural or farming community and which is accessory to a <i>single detached dwelling</i> or agriculture operation and performed by one or more residents of the household on the same property. A <i>home industry</i> may be conducted in whole or in part in an <i>accessory building</i> and may include a carpentry shop, a metal working shop, a welding shop, an electrical shop or blacksmith's shop, etc., but does not include an auto repair or paint shop, or furniture stripping.	Home Industry means a small scale <i>use</i> , providing a service primarily to the rural or farming community and which is accessory to a <i>single detached dwelling</i> or agriculture operation and performed by one or more residents of the household on the same property and shall not permit any employees. A <i>home industry</i> may be conducted in whole or in part in an <i>accessory building</i> and may include a carpentry shop, a metal working shop, a welding shop, an electrical shop or blacksmith's shop, etc., but does not include an auto repair or paint shop, or furniture stripping.				
	Home Occupation means an occupation, which provides a service as an <i>accessory use</i> within a <i>single</i> <i>detached dwelling</i> or in an addition to the <i>dwelling</i> or in an <i>accessory building</i> , performed by one or more	Home Occupation means an occupation, which provides a service as an <i>accessory use</i> within a <i>single</i> <i>detached dwelling</i> or in an addition to the <i>dwelling</i> or in an <i>accessory building</i> , performed by one or more				

By-law Section	Existing Text	Proposed Amendment				
	residents of the household on the same property. Such occupations may include services performed by an accountant, architect, auditor, dentist, medical practitioner, engineer, insurance agent, land surveyor, lawyer, realtor, planner, hairdresser, desk top publisher or word processor, computer processing provider, teacher or day care provider.	residents of the household on the same property and shall not permit any employees. Such occupations may include services performed by an accountant, architect, auditor, dentist, medical practitioner, engineer, insurance agent, land surveyor, lawyer, realtor, planner, hairdresser, desk top publisher or word processor, computer processing provider, teacher or day care provider.				
	 Lot Coverage means: b) does not include that portion of the lot area which is occupied by a building or portion thereof which is completely below ground level; d) the portion of a lot in a Hazard Overlay Zone shall be included in the calculation of <i>lot coverage</i>. However, in the case of a lot abutting Lake Erie, regardless of the location of any Hazard Overlay Zone, the lot area used in the calculation of <i>lot coverage</i> shall be exclusive of any portion of the lot on the waterside of dynamic beach hazard. 	 Lot Coverage means: b) does not include that portion of the lot area which is occupied by a building or portion thereof which is completely below ground level, uncovered decks, uncovered porches, pergolas ornamental structures such as mailboxes or birdhouses and outdoor swimming pools; d) the portion of a lot in a Hazard Overlay Zone shall be included in the calculation of <i>lot coverage</i>. However, in the case of a lot abutting Lake Erie, regardless of the location of any Hazard Overlay Zone, the lot area used in the calculation of <i>lot coverage</i> shall be exclusive of any portion of the lot on the waterside of any shorewall, or alternately where no shorewall exists, of the dynamic beach hazard. 				
	Current by-law does not contain a definition of resort.	Resort means a commercial establishment that operates throughout all or part of the year, that has facilities for serving meals including indoor/outdoor dining facilities and may include overnight accommodation in guest rooms or guest suites for the				

By-law Section	Existing Text	Proposed Amendment		
		travelling public and may include facilities such as conference facilities and meeting rooms, swimming pools, saunas, spas, tennis courts and other similar recreational activities.		
	Current by-law does not contain a definition of a temporary tent.	Temporary Tent means a collapsible shelter of fabric (such as nylon or canvas) stretched and sustained by poles and used as a temporary building.		
Section 4: General Provisions	4.3 Temporary Uses Current by-law does not contain provisions for temporary tents.	 4.3 Temporary Uses a) Nothing in this by-law shall prevent the use of a <i>temporary tent</i> for a special event in any zone provided that: a building permit is obtained from the Township, where applicable; the duration of the use and installation of the <i>temporary tent</i> is not more than 7 days; and the <i>temporary tent</i> location does not interfere with any sightlines or daylight triangles for any adjacent streets. 		
	4.15 Supplementary Setbacks from Any Drainage Works Notwithstanding any other provisions of this By-law, a minimum <i>setback</i> of 11 metres shall be provided from any <i>drainage works</i> to permit the maintenance of said <i>drainage works</i> .	4.15 Supplementary Setbacks from Any Drainage Works Notwithstanding any other provisions of this By-law, a minimum <i>setback</i> of 15 metres shall be provided from any <i>drainage works</i> to permit the maintenance of said <i>drainage works</i> .		

By-law Section	Existing Text	Proposed Amendment
	 4.16 Provisions for Home Occupations a) Outdoor storage and display of goods and materials or products shall be prohibited; 	 4.16 Provisions for Home Occupations b) Outdoor storage and display of <i>commercial</i> vehicles, equipment, goods and materials or products shall be prohibited;
	 4.17 Provisions for Home Industries b) Outdoor storage and display of goods and materials or products shall be prohibited; 	 4.17 Provisions for Home Industries c) Outdoor storage and display of <i>commercial</i> vehicles, equipment, goods and materials or products shall be prohibited;
	 4.20 Secondary Suites A secondary suite shall be permitted within a single detached or semi-detached dwelling or within an accessory building on a lot containing a single detached or semi-detached dwelling in any zone where single detached and semi-detached dwellings are permitted provided that the other requirements of the applicable zone are adhered to and subject to the following: a) Only one secondary suite per single detached dwelling or semi-detached dwelling is permitted; b) The unit is clearly subordinate to the primary residential unit in the dwellings; c) The exterior appearance of the dwelling is unaltered to accommodate the unit; and d) All relevant requirements of the Ontario Building Code and Fire Code are complied with. 	 4.20 Secondary Suites A secondary suite shall be permitted within a single detached or semi-detached dwelling or within an accessory building on a lot containing a single detached or semi-detached dwelling in any zone where single detached and semi-detached dwellings are permitted provided that the other requirements of the applicable zone are adhered to and subject to the following: a) Only one secondary suite per single detached dwelling or semi-detached dwelling is permitted; b) The unit is clearly subordinate to the primary residential unit in the dwellings; c) All relevant requirements of the Ontario Building Code and Fire Code are complied with; d) The secondary suite shall have a maximum of 3 bedrooms; e) Where a secondary suite is within a single detached dwelling or semi-detached dwelling, the secondary suite shall not exceed 40% of the

By-law Section	Existing Text			Proposed Amend	ment				
	4.21 Accessory Bu Table 2: Accessor	•	irements	 gross floor area of the primary residential unit in the dwelling; f) Where a secondary suite is within an accessory building and is located on the ground floor of an accessory building, the secondary suite shall not exceed 40% of the ground floor area of the accessory building; g) Where a secondary suite is within an accessory building and is located entirely on the second storey of an accessory building, the secondary suite shall not exceed 100% of the ground floor area of the accessory building, exclusive of any stairway servicing the secondary suite. h) Access to the secondary suite shall be provided from the same driveway that provides access to the single detached dwelling on the lot. 4.21 Accessory Buildings Table 2: Accessory Building Requirements 					
	Maximum Lot Cove	erage		Maximum Lot Coverage					
	Zone	Max. Lot Coverage	Max. Height	Zone	Max. Lot Coverage ⁽¹⁾	Max. Height			
	Agricultural and Rural Zones (A1, A2, A3, A4)	5% for lots	5m	Agricultural and Rural Zones (A1, A2, A3, A4)	4%	8m			
		For lots less		Residential Hamle (RH)	et 4%	6.5m ⁽²⁾			
		than 1 ha in size, the lessor		Residential Lakeshore (RLS)	4%	6.5m ⁽²⁾			

By-law Section	Existing Text	Proposed	Proposed Amendment					
		of 2.5% or 100m ²		Commer (C1, C2,	cial Zones C3)	5%	8m	
	Residential Hamlet (RH)	The lessor of 2.5% or 100m ²	5m	Industrial (M1, M2)	Zones	5%	8m	
	Residential Lakeshore (RLS)	The lessor of 2.5% or 100m ²	5m	(1) The	e lot covera	ge for the a	accessory b	ouilding and
	Commercial Zones (C1, C2, C3)	The lessor of 5% or 100m ²	5m	other buildings must also conform to the o lot coverage requirements for the respect zone, as identified in Table 6, Table 10, T 14 and Table 18.				
	Setbacks for Indu	strial Zones		sec the Lak sha	ere a secor ond storey Residentia eshore (RL Il be 8m. for Indust	of an acce I Hamlet (R S) zones, t	ssory build RH) and Re	ing within sidential
	Current by-law doe	Setbacks for Industrial Zones Current by-law does not contain accessory building provisions for the Industrial zones.				Min. Setback from Exterior Side Lot Line	Min. Setback from Interior Side Lot Line	Min. Setback from <i>Rear Lot</i> <i>Line</i>
				Industria I Zones (M1, M2)	Greater than the front yard setback of the principal	6m	0.6m or 3m abutting a Residen tial Zone	0.6m or 3m abutting a Residen tial Zone

By-law Section	Existing Text		Proposed Amendment				
			building on a lot				
Section 5: Parking &	Table 3: Parking Require	ements	Table 3: Parking Require	ements			
Loading Provisions	No requirement listed for r operations centres, fire ha	nunicipal offices, municipal Ils, libraries.	Use municipal office, municipal operations centres, fire halls, libraries	RequirementSufficient number to accommodate the employees of and the visitors to such use.			
	Table 4: Loading Require	ements	Table 4: Loading Requirements Industrial Uses				
	<500 square metres	No loading spaces required	<500 square metres	No loading spaces required			
	500-2,500 square metres	1 loading space	500-2,500 square metres	1 loading space			
	2,500-10,000 square metres	2 loading spaces	2,500-10,000 square metres	2 loading spaces			
	>10,000 square metres	2 loading spaces plus 1 additional loading space for each 10,000 square metres of total gross floor area or part thereof in excess of 10,000 square metres	>10,000 square metres	2 loading spaces plus 1 additional loading space for each 10,000 square metres of total gross floor area or part thereof in excess of 10,000 square metres			
	Industrial Uses						
	≤ 200 square metres	No loading spaces required					

By-law Section	Existing Text					Proposed Amendment
	201-1,000 square metres	1 load	ding sp	ace		
	>1,000 square metres	additi for ea metre	ding sp onal lo ach 1,4 es or pa es of 1, es	ading s 00 squ art ther	space are eof in	
Section 6: Agricultural and Rural	Table 5: Permitted Uses i Rural Zones	n the .	Agricu	ltural a	and	Table 5: Permitted Uses in the Agricultural andRural Zones
Zones	Permitted uses	A1	A2	A3	A4	Permitted uses A1 A2 A3 A4
	Single detached dwelling as a principal use on any new lot	~	~	~	~	Single detached dwelling as a principal use on any Q5 Q5 Q5 Q3 new lot
	Current by-law does not contain provisions for garden suites.					 Q5: Permitted as a surplus farm dwelling, where the dwelling existed prior to the creation of the new lot. Permitted uses <u>A1 A2 A3 A4</u> Garden suite <u>Q6 Q6 Q6 Q6</u> Q6: Permitted only through a temporary use by-law. 6.2.2.8 For garden suites: a) Initial permissions for a garden suite shall be for no longer than ten (10) years, calculated from the date of the passing of the temporary use by-

By-law Section	Existing Text			Proposed Amendment						
	Table 6: Regula Zones	ations Applying	g to Agricultural	 law, with extensions permitted on a three (3) year basis to a maximum of twenty (20) years; b) Where a garden suite is to be permitted, an implementing development agreement is required dealing with such matters as the installation, maintenance and removal of the garden suite; c) A garden suite shall be accessory to and located on the same lot used for a single detached dwelling were permitted by the applicable zone; d) A maximum of one (1) garden suite shall be permitted on a lot; e) Access to the garden suite shall be provided from the same driveway that provides access to the single detached dwelling on the lot. f) A garden suite shall comply with the Minimum Distance Separation (M.D.S.) formulae. 						
	Uses	Max. Lot Coverage	Max. Height	Uses	Max. Lot Coverage	Max. Height]			
	Single detached dwelling as a principal use on a lot	7%	9m	Single detached dwelling as a principal use on a lot	10%	12m				

By-law Section	Existing Text		Proposed Amendment					
Section 7: Residential Zones	Table 10: Regulations Ap Zones	olying to Residential	Table 10: Regulations Applying to Residential Zones					
	Uses All uses permitted in an	Max. <i>Height</i> 9m	Uses All uses permitted in an	Max. <i>Height</i> 12m				
	RLS Zone		RLS Zone					
	All uses permitted in an RLS Zone where an existing lot of record is less than 4,000m ²	9m	All uses permitted in an RLS Zone where an existing lot of record is less than 4,000m ²	12m				
	All uses permitted in an RH Zone	9m	All uses permitted in an RH Zone	12m				
Section 8: Commercial Zones	Table 14: Regulations Ap		Table 14: Regulations Ap Zones					
	Uses	Max. Height	Uses	Max. Height				
	Uses permitted in the C1 Zone, not otherwise listed below	10.5m	Uses permitted in the C1 Zone, not otherwise listed below	13m				
	Uses permitted in the C2 Zone, not otherwise listed below	10.5m	Uses permitted in the C2 Zone, not otherwise listed below	13m				
	Uses permitted in the C3 Zone, not otherwise listed below	10.5m	Uses permitted in the C3 Zone, not otherwise listed below	13m				
	Automotive service stations/gas bars	10.5	Automotive service stations/gas bars	13m				
	Seasonal trailer parks	4.5m	Seasonal trailer parks	6m				

By-law Section	Existing Text		Proposed Amendment						
Section 9: Industrial				Table 18: Regulations Applying to Industrial Zones					
Zones	Uses	Uses		Max. Height	,				
	Uses permitted in the M1 Zone, not otherwise listed below	10.5m	Uses permitted in the M1 Zone, not otherwise listed below		17m				
	Kennels	10.5m	Kennels		13m				
Section 10: Institutional	Table 21: Permitted Uses		Table 21: Perr	nitted Uses i	in the Institu	tional Zone			
Zones	Current by-law does not inc centre and a municipal oper	Use Municipal Arena							
	uses.	Municipal Community cent		•					
		Municipal ope	rations centre	e 🗸					
Section 12: Mobile Home Park	Table 30: Regulations App Park Zone	olying to the Mobile Home	Table 30: Regulations Applying to the Mobile HomePark Zone						
Zone	Current by-law does not concented by-law does not concented by a convenience retail store.	ntain provisions for a	Uses	Min. Lot Area	Max. Lot Coverage	Min. Lot Frontage			
			Convenience		5%	60m			
			retail store	Min. Front	Min.	Min.			
				Yard	Exterior Side Yard	Interior Side Yard			
				15m	15m	7.5m except 15m adjacent to a			

By-law Section	Existing Text	Proposed Amendment				
Section				Min. Rear Yard 7.5m except 15m adjacent to a Posidential	Min. Floor Area NA	Residential Zone
				Residential Zone		
Section 15: Maps	Current by-law does not contain mapping for the Township's Hamlets.	Include Maps 33-40 for the Township's Hamlets (to be provided in advance of the public meeting).				