



## The Corporation of the Town of Orangeville

### By-law Number \_\_\_\_\_

#### A By-law to amend Zoning By-law No. 22-90, as amended (Town of Orangeville Town-wide Zoning By-law Amendments)

#### File No. OPZ 2024-01

Whereas the Council of the Corporation of the Town of Orangeville is empowered to pass By-laws to permit the use of land pursuant to Sections 34 and 36 of the Planning Act, RSO 1990, as amended;

And whereas on November 25, 2024, Council held a public meeting with respect to proposed Town-wide Zoning By-law amendments to add new regulations for additional residential units, and to make other housekeeping changes (RZ-2024-01);

And whereas Council considers it desirable to pass a By-law to amend Zoning By-law No. 22-90, as amended, to incorporate various housekeeping corrections and updates to the Zoning By-law.

Be it therefore enacted by the municipal Council of The Corporation of the Town of Orangeville as follows:

1. That Zoning By-law 22-90, as amended, be further amended by revising the definition of "ACCESSORY BUILDING" and adding the following definitions:
  - 2.2 **"ACCESSORY BUILDING"** means a detached structure consisting of a wall, roof and floor, or any one or more of the above, located on the same lot as the main building, the use of which is incidental or secondary to that of the main building, and includes an additional residential unit, detached, a private garage, a tool shed, a greenhouse, or a storage building."
  - 2.4 **"ADDITIONAL RESIDENTIAL UNIT, ATTACHED"** means one or more habitable rooms containing separate kitchen and bathroom facilities and sleeping accommodations for private use as a single, independent housekeeping unit, which is contained within a detached dwelling, semi-detached dwelling, linked dwelling or townhouse dwelling already containing a dwelling unit.
  - 2.5 **"ADDITIONAL RESIDENTIAL UNIT, DETACHED"** means one or more habitable rooms containing separate kitchen and bathroom facilities and sleeping accommodations for private use as a single, independent housekeeping unit that is contained within an accessory building located on a lot containing a detached dwelling, semi-detached dwelling, linked dwelling or townhouse dwelling already containing a dwelling unit.
2. That Zoning By-law 22-90, as amended, be further amended by deleting Section 5.29 Second Dwelling Units in its entirety and replacing it with the following:
  - 5.29 Additional Residential Units
    1. Attached additional residential units are permitted in the following buildings:
      - a) Detached dwelling
      - b) Semi-detached dwelling

- c) Linked dwelling
  - d) Townhouse dwelling
2. Detached additional residential units are permitted in an accessory building located on the same lot as:
    - a) A detached dwelling
    - b) A semi-detached dwelling
    - c) A linked dwelling
    - d) A townhouse dwelling
  3. The permitted number of detached or attached additional residential units on a lot is as follows:
    - a. A maximum of two (2) attached additional residential units; or
    - b. A maximum of one (1) attached additional residential unit and one (1) detached additional residential unit.
  4. A minimum 1.2m wide unobstructed pedestrian access shall be provided from the nearest street or lane to the entrance of the unit, where such pedestrian access may include a driveway or portion thereof.
  5. Attached or detached additional residential units shall have a maximum of two (2) bedrooms.
  6. A minimum of one (1) additional parking space shall be provided for each attached or detached additional residential unit, in addition to the minimum parking required for the dwelling located on the same lot.
  7. The minimum width required for a parking space associated with an attached or detached additional residential unit is 2.6 metres.
  8. Regulations for detached additional residential units

a) Building height (maximum)	<ul style="list-style-type: none"> <li>i) 6.1m for a detached additional residential unit located above a private garage,</li> <li>ii) 4.3m for any other detached additional residential unit.</li> <li>iii) Despite i) and ii), the building height of the detached additional residential unit shall not exceed the building height of the main dwelling located on the same lot.</li> </ul>
b) Minimum Yards:	<ul style="list-style-type: none"> <li>i) 1.2m to any side or rear lot line, for buildings less than 4.3m in height.</li> <li>ii) 1.5m to any side or rear lot line, for buildings greater than 4.3m in height.</li> <li>iii) despite i) and ii) above, a 2-storey detached additional residential unit shall provide a minimum 3.0m yard where a second storey window is adjacent to a lot in a residential zone.</li> </ul>
c) Lot coverage (maximum)	45% for all buildings on a lot containing a detached additional residential unit
d) Building separation (minimum)	A minimum distance of 4m shall be provided between the detached additional residential unit and the main dwelling located on the same lot
e) Side yard setback	The minimum interior and exterior side yard setback for any deck above 1.2 metres in height shall be the established side yard as determined by the distance between the exterior side wall of the dwelling and the side lot line.

3. That Zoning By-law 22-90, as amended, be further amended by revising Section 5.17 1) (a) Parking Space Requirements to include the following:

*Additional Residential Unit*                      1 parking space per unit

4. That Zoning By-law 22-90, as amended, be further amended by deleting Section 5.13 Height Exceptions and replacing it with the following:

5.13 Height Exceptions

The height restrictions of this By-law shall not apply to any:

- a) church spire or steeple
  - b) chimney or smokestack
  - c) clock tower, bell tower or belfry
  - d) rooftop mechanical enclosure or elevator enclosure/penthouse
  - e) municipal water storage facility
  - f) windmill
  - g) federally-regulated and authorized telecommunications tower,
  - h) weathervane, lightning rod or other weather device
  - i) light standard operated by a public authority
- bulk storage tank, including a silo.

5. That Zoning By-law 22-90, as amended, be further amended to expand home occupation permissions, permit certain home occupations withing accessory buildings and simplify parking requirements. More specifically, the following sections will be replaced as follows:

2.66 "**HOME OCCUPATION - CLASS "A"**" means an occupation conducted for profit or gain entirely within a *dwelling unit or accessory building* and shall include only:

- *business and professional offices* (other than that of a medical, dental or chiropractic practitioner or veterinarian);
- an artist's studio for the production of arts, crafts, film arts or other similar works (but not including an audio recording studio);
- light assembly and associated retail/distribution;
- a teacher, other than a music teacher, tutor, or fitness trainer;
- a dressmaker, tailor or seamstress; and
- food preparation for public consumption.

2.67 "**HOME OCCUPATION - CLASS "B"**" means an occupation conducted for profit or gain entirely within a *dwelling unit or accessory building* and shall include only:

- *office* of a medical, dental or chiropractic practitioner or veterinarian;
- hairdresser, beautician, barber, massage therapist, reflexologist or dietician; and
- repair of small appliances and mechanical equipment; and,
- a bed and breakfast establishment.

2.68 "**HOME OCCUPATION - CLASS "C"**" means an occupation conducted for profit or gain entirely within a *dwelling unit* and shall include only:

- a music teacher;
- private-home daycare not to exceed five (5) children; and
- an audio recording studio.

#### 5.14 **Home Occupations**

##### **Permitted Uses**

###### Home Occupations - Class "A"

Home Occupations - Class "A" as defined in Section 2 of this By-law shall be permitted in all dwelling types and in accessory buildings.

###### Home Occupations - Class "B"

Home Occupations - Class "B" as defined in Section 2 of this By-law shall be permitted only in *semi-detached* and *single detached dwellings* and in accessory buildings.

###### Home Occupations - Class "C"

Home Occupations - Class "C" as defined in Section 2 of this By-law shall only be permitted in *single detached dwellings*.

##### **General Provisions**

The following provisions apply to all home occupations:

- (a) The home occupation shall be secondary to the main residential use and shall not change the residential character of the dwelling.
- (b) There shall be no external storage or display of goods or materials.
- (c) Not more than 30 percent of the floor area or a maximum of 40 sq. metres, whichever is the lesser, may be used for the home occupation. By-law 97-96

Notwithstanding the foregoing, a bed and breakfast establishment may exceed the foregoing floor area limitations, but the number of guest bedrooms shall not exceed three.

By-law 102-96

- (d) There shall be no outside exposure of goods, wares or merchandise offered for rent or sale.
- (e) No mechanical equipment which would cause a nuisance through noise, vibration or interference with television or radio reception may be used.
- (f) A maximum of one employee who is not a resident of the dwelling may be permitted.
- (g) There shall be no external display or advertising except in accordance with all applicable laws.

(h) All uses shall be subject to the requirements of the Ontario Building Code Act and the Fire Marshall's Act.  
By-law 50-94

(i) No more than one home occupation is permitted per dwelling unit.  
By-law 32-2011

**5.17 Parking Area Regulations**

1) (a) Parking Space Requirements

<i>Home Occupation</i>	1 parking space for any non-resident employee
(other than a bed and breakfast establishment)	1 parking space for any home occupation involving personal services

6. That Zoning By-law 22-90, as amended be further amended by replacing Section 5.16 as follows:

(a) For any non-residential use in the CBD, C1, C2, C3 or M1 Zone, off-street loading space(s) shall be provided in a side or rear yard on the same lot in accordance with the following:

<b>Total Gross Floor Area</b>	<b>Required number of loading spaces</b>
Less than 300 square metres	Nil
301 Square metres to 2,500 square metres	1 space
2,501 to 7,500 square metres	2 spaces
7,501 square metres and above	1 additional space per 5,000 square metres

(b) each loading space shall have minimum dimensions of 9 metres long by 3.5 metres wide;

(c) access and egress to and from the loading space(s) shall be provided to a street or lane by means of driveway(s) having a minimum width of 6 metres.

7. That Zoning By-law 22-90, as amended, be further amended by replacing Section 5.17 7) (f) with the following and moving it to Section 5.17 1) (e):

e) Accessible Parking

- i) Accessible parking spaces shall be provided for every development provided for all non-residential uses.
- ii) Despite Section 5.17 1) e) i), accessible parking shall be provided for visitor parking for
  - a. multiple dwellings; and
  - b. townhouses on a private street
- iii) Required accessible parking spaces shall be counted towards the minimum number of off-street parking spaces required under this section.

- iv) Accessible parking spaces shall be provided with unobstructed access to a street by a driveway, aisle or lane. Accessible spaces shall be provided within a maximum distance of 30 metres from the main entrance(s) of the building.

*(continue with remaining provisions under this section)*

- 8. That Zoning By-law 22-90, as amended, be further amended by adding the following definition to Section 2 in proper numerical order and the following text in Section 5.17:

**2. XX “PARKING SPACE, ELECTRIC VEHICLE (EV)”** means a parking space equipped with, or constructed to be capable of being equipped with, an electric vehicle charging device.

5.17 1)

(f) Electric Vehicle Parking Space Requirements

Electric Vehicle (EV) Parking Spaces shall be provided for any new floor area and dwelling units constructed after January 1, 2025 as follows:

- i. EV parking spaces shall have rough-in conduits and associated power supply to provide Level 2 charging or greater. Up to four parking spaces may share an energized outlet.
- ii. A minimum of 40% of the total required parking spaces for multiple dwellings.
- iii. A minimum of 20% of the total parking spaces required for all other non-residential uses.
- iv. Required electric vehicle parking spaces shall be counted towards the minimum number of off-street parking spaces required under this section.

8) Underground Parking

- a) 1.2 metre to any lot line, except where the main building setback is nil, the setback of the attached underground parking area is also nil.
- b) Where an underground parking area is not located under a building, its underground roof surface shall be a minimum depth of 1.2 metres below the finished grade surface.

- 9. That Zoning By-law 22-90, as amended, be further amended by adding the following to Section 5.17 6):

- (c) In all zones, human habitation is prohibited in any vehicle, including a recreational vehicle, trailer, boat or boat trailer.

And replacing Section 5.17 7) (d) and (e) with the following:

(d) Trailer or Boat Storage

- (i) A maximum of two (2) recreational *vehicles* or utility *trailers*, may be stored on a Lot;
- (ii) A recreational *vehicle* or utility *trailer*, inclusive of tongue and attachments, that is located in a front yard or an exterior side yard must be setback a minimum of 2.0 metres from the edge of the road;

- (iii) A single recreational *vehicle or utility trailer* may be parked elsewhere in the *rear yard or interior side yard*;
- (iv) A recreational *vehicle or utility trailer*, inclusive of tongue and attachments, that is located adjacent to a lane must be setback a minimum of 0.5 metres from the edge of the lane; and
- (v) A recreational *vehicle or utility trailer* may have a maximum height of 3.6 metres. Height does not include accessory items such as antenna, HVAC units, lights.

(e) In an R1, R2, R3, R4, R5 and R6 zone, no other *vehicles* may be parked in the *side yard or the rear yard* except in a garage, carport, or on one driveway with a maximum width of six metres. Notwithstanding the foregoing,

i) within six metres of the face of a garage or carport, the maximum driveway width may be increased as required to match the width of the garage opening(s) or *carport* opening(s).

10. That Zoning By-law 22-90, as amended, be further amended by replacing Section 5.22 with the following:

#### 5.22 Permitted Encroachments and Projections

Unless otherwise permitted by this By-law, all minimum yards shall be unobstructed, except for the allowable encroachments and projections in the following table:

Structure or Feature	Yard(s) where structure/feature is permitted	Maximum Encroachment into minimum yard
Bay window, Chimney, fireplace projection	Any	0.6 metres, provided a setback of at least 0.6 metres is maintained to the applicable lot line.
Uncovered, unexcavated stairs and/or landings not associated with a porch or deck	Any	1.0 metres, provided a setback of at least 0.6 metres is maintained to the applicable lot line.
Air conditioners, heat pumps, swimming pool pumps / filters / heaters and associated appurtenances thereto	- Rear - Interior Side (1)	Up to 0.6 metres from the applicable lot line.
	Exterior Side (1)	1.0 metres
Generators including any appurtenances thereto	- Rear - Interior Side only where abutting a non-residential zone	1.0 metres
Porches with or without associated stairs and/or landings	- Front - Exterior Side	2.0 metres, provided that a setback of at least 1.2 metres is maintained to the lot line
Uncovered access stairs below grade	Rear	1.5 metres
	- Exterior Side	1.5 metre maximum projection beyond the main building wall, provided that a setback of 1.2 metres is maintained.
	- Interior Side	1.5 metre maximum projection beyond the main building wall, provided that a setback of 0.3 metres is maintained.
Balconies	- Front - Rear	1.5 metre maximum projection beyond the main building wall.
Awnings, Canopies, or other weather shielding structure	- Front - Exterior Side	1.8 metres, provided that a setback of at least 1.2 metres is maintained to the lot line.

	Interior Side	0.6 metres, provided a setback of at least 0.6 metres is maintained to the applicable lot line.
	Rear	1.8 metres, provided that a setback of at least 1.2 metres is maintained to the lot line.
Eaves, cornices, parapets, gutters, sills or other similar ornamental features	Any	0.6 metres, provided that a minimum setback of at least 0.1 metres is maintained to the lot line.
Barrier-free access ramps	- Front - Exterior Side	Up to 0.0 metres from the applicable lot line.
	- Interior Side - Rear	Up to 0.0 metres from the applicable lot line, except where the end of the access ramp is perpendicular to a lot line, a minimum setback of 1.0 metres shall be maintained to said lot line.
Unenclosed fire escapes and associated structural supports	- Rear - Interior Side	1.5 metres provided at least 0.6 metres is maintained to the applicable lot line.
Decks, other than ground-oriented amenity areas	Rear	1.8 metres, inclusive of any associated stairs and landings.
	Interior Side	No encroachment beyond the main building wall.
	Interior Side – units separated by a party wall or where exterior side wall of dwelling is within 1.2m from the side lot line	No encroachment beyond the main building wall. A 1.5 metre high privacy screen is required along the entire side of the deck that is located less than 1.2 metres from the side lot line.
	Exterior Side	No encroachment beyond the main building wall.

(1) provided that where such equipment is installed at or above-grade, the maximum height shall be 1.8 metres measured from grade to the top of said equipment.

11. That Zoning By-law 22-90, as amended, be further amended by deleting Section 5.2 2 C) and replacing it with the following:

2C) Notwithstanding the provisions of this by-law, drop awnings, canopies, flag poles, garden trellises, fences, retaining walls, signs, dog houses, dog runs, composters, clothes lines, clothes hanging trees, accessible ramps, or similar accessory uses lawfully erected, shall be permitted in all yards.

An awning, at full extension, or canopy shall be a minimum of 2.4 metres in height, and a minimum of 1.2 metres from the face of the building.

12. That Zoning By-law 22-90, as amended, be further amended by correcting the following zone boundary errors and inconsistencies:

- a) 355A Broadway – Revise OS2 Zone boundaries for consistency with OMB approved By-law.
- b) ORDC lands – Re-zone to OS1 Zone to reflect recreational use.
- c) Former ORDC lands conveyed to adjacent properties – Re-zone to reflect adjacent lands zoning.
- d) 275 Alder Street – Revise zone boundary.



- e) Town-owned properties Blocks 95, 96, 97, Plan 7M-70 - adjacent to Blocks 94 & 98, Plan 7M-70 - lands are zoned M1 and should be zoned OS2 to match adjacent lands.
- f) Block 99, Plan 7M-70 - Town-owned SWM facility should be rezoned from M1 to OS2.
- g) Northwest Corner of College Ave and Amelia Street - Zoned Institutional, should be rezoned R2 to match existing adjacent residential lands.

Passed in open Council this    day of \_\_\_\_\_, 2024.

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Lisa Post, Mayor

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Raylene Martell, Clerk

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