OPEN HOUSE - Municipally Initiated Comprehensive Zoning By-law Housekeeping Amendment

The County of Norfolk is undertaking a housekeeping amendment to the Comprehensive Zoning By-law 1-Z-2014 and seeking public input and comments.

What is a Zoning By-law ?

The Zoning By-law is an enforceable land use management tools that sets out regulations for how land can be used, how buildings types, height, setbacks are permitted per each zone, parking requirements, lot sizes, and other general provisions.



Development and special projects must be consistent with the Provincial Planning Statement (2024), conform to the County's Official Plan and comply with the Zoning By-law 1-Z-2014.

What is the purpose of the Zoning By-law Housekeeping ?

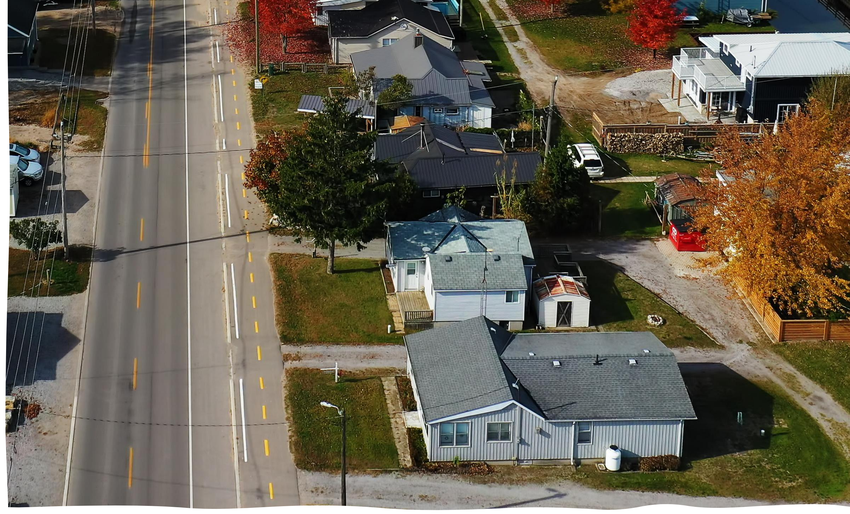
The housekeeping amendment of the zoning by-law allows for improving zoning provisions, ensuring alignment with provincial legislative updates, addressing new definitions, correcting outdated terminology, and updating outdated references.



Norfolk COUNTY







Comprehensive Zoning By-law Housekeeping Amendment – Proposed Amendments

- **Section 1: Administration, Interpretation and Zones**
  - minor zoning provisions updates
- **Section 2: Definitions**
  - new definitions and amendments to terminologies
- **Section 3: General Provisions**
  - update of Additional Residential Dwellings Units provisions, surplus farm residence severance, decks and unenclosed porches
  - occupancy restrictions provisions
- **Section 4: Off Street requirements**
  - no more than two required parking spaces shall be permitted within the required front yard
- **Section 8: Institutional Zones**
  - removal of crematoriums special provisions
- **Section 9: Open Space Zones**
  - Special provisions for campgrounds
- **Section 12: Agricultural Zones**
  - size limitation for temporary farm workers accommodation, agri-tourism uses, farm winery, brewery and distillery

Norfolk COUNTY

Comprehensive Zoning By-law Housekeeping Amendment

Section 2: Definitions		
Existing Zoning By-law provisions	Proposed Zoning By-law provisions	Update/Amendment Context
"BUNK HOUSE" shall mean a building or part of a building used for the temporary accommodation of farm workers provided such accommodation does not serve as the principal place of residence of an occupant and the bunk house is located on a farm. A Mobile Home may be used for the purposes of a bunk house [5-Z-2018].	**"TEMPORARY FARM WORKER ACCOMMODATION"** shall mean a building or part of a building used for the temporary accommodation of seasonal farm workers provided such accommodation does not serve as the principal place of residence of a farm worker. A Mobile Home may be used for the purposes of Temporary Farm Worker Accommodation [5-Z-2018]. Adversely, a recreational vehicle may not be used for the purposes of Temporary Farm Worker Accommodation.	The term is replaced to further emphasize that bunkhouses are used on a temporary basis and not a primary residence.
"DEVELOPMENT" Not defined in the current Zoning By-Law	**"DEVELOPMENT"** shall mean the creation of a new lot, a change in land use, or the construction, erection or placing of one or more buildings or structures on land or the addition or alteration to a building or structure requiring approval under the Planning Act.	The creation of a new lot is defined as development in the Provincial Planning Statement, 2024.
"ACCESSORY RESIDENTIAL DWELLING UNIT" shall mean a self-contained residential dwelling unit supplemental to the primary residential dwelling use of the property. The additional residential dwelling unit can be located within the primary dwelling, or in a detached accessory building on the same lot as the primary dwelling. [7-Z-2020][25-Z-2022]	**"ADDITIONAL RESIDENTIAL DWELLING UNIT"** shall mean a self-contained residential dwelling unit supplemental to the primary dwelling unit on a single property. The additional residential dwelling unit can be located within the primary dwelling, or in a detached accessory building on the same lot as the primary dwelling unit.[7-Z-2020][25-Z-2022]	Accessory is replaced with Additional for consistency with the Official Plan. Primary dwelling unit is a new defined term.

Comprehensive Zoning By-law Housekeeping Amendment

Section 2: Definitions		
Existing Zoning By-law provisions	Proposed Zoning By-law provisions	Update/Amendment Context
“PRIMARY DWELLING UNIT” Not defined in the current Zoning By-Law	**“PRIMARY DWELLING UNIT”** shall mean a principal dwelling unit existing on the same lot where a subordinate dwelling unit may be permitted, such as additional residential dwelling units. When the primary dwelling unit is not established, an additional residential dwelling unit may be only permitted if a building permit was issued for the primary dwelling unit.	With Additional Residential Dwelling Units being permitted, the Primary Dwelling Unit shall be established a lot before allowing a supplemental Additional Residential Dwelling Unit, in alignment with the Official Plan.
“SURPLUS FARM RESIDENCE” Not defined in the current Zoning By-Law	**“SURPLUS FARM RESIDENCE”** shall mean one (1) existing habitable detached dwelling, including any associated additional residential dwelling unit, that are rendered surplus as a result of farm consolidation.	The definition is addressed in alignment with the PPS 2024 policy allowing for additional residential dwelling units in the Agricultural (A) zone.
“GREENHOUSE” Not defined in the current Zoning By-Law	**“GREENHOUSE”** shall mean a structure that may be predominantly made of transparent or translucent material that is used for growing plants or crops in regulated climatic conditions. This definition shall include greenhouse structures that are temporary in nature or are intended to extend a growing season for plants that are germinated indoors. Where plants or crops are grown in a greenhouse structure for personal use or consumption, or where a greenhouse is not related to a permitted farming operation, the structure may be considered accessory to permitted residential use and subject to the requirements applicable thereto. This definition shall not include a cannabis production and processing facility.	The definition is provided for clarity.

Comprehensive Zoning By-law Housekeeping Amendment

Section 3: General Provisions		
Existing Zoning By-law provisions	Proposed Zoning By-law provisions	Update/Amendment Context
Section 3.2.3. Additional Residential Dwelling Units **Subsection 3.2.3.2.e)** The additional residential dwelling unit shall have its own exterior entrance separate from the exterior entrance to the primary dwelling unit, but shall not be permitted on an elevation, or façade of the building that faces a public street or private road; shall have no means of internal access to the primary dwelling unit, except that access to a primary and second dwelling through a common vestibule entry is permitted;	e) The additional residential dwelling unit shall have no means of internal access to the primary dwelling unit, except that access to a primary and second dwelling through a common vestibule entry is permitted;	**To facilitate the conversion of existing main dwellings and the development of additional residential dwelling units (ARDU), the requirement of having separate entrance is removed as long as no internal access to the primary dwelling unit is provided.**
Subsection 3.2.3.2.f) The maximum number of residential dwelling units permitted per lot shall be three (3), including ~~a~~ primary dwelling unit, one interior additional residential dwelling unit and one detached additional residential dwelling unit. Two interior additional residential dwelling units or two detached additional residential dwelling units are not permitted.	f) The maximum number of residential dwelling units permitted per lot shall be three (3), including the following: i. up to two (2) interior additional residential dwelling units within the primary dwelling unit; or ii. one (1) interior additional residential dwelling unit within the primary dwelling unit; or iii. one (1) detached additional residential unit ancillary to the main primary dwelling unit.	**Additional Residential Dwelling Units are permitted as specified in the amended zoning provision under subsection 3.2.3.2.f)**
Subsection 3.2.3.1. b) The useable floor area of an addition to the primary dwelling unit to accommodate an Interior Additional Residential Dwelling Unit shall not exceed 75m2 (807 square feet). In the case of an interior additional residential dwelling unit which is located in the basement of a single detached, semi-detached and street townhouse dwelling the interior dwelling unit may occupy the whole basement.	**Proposed amendment to Subsection 3.2.3.1. b)** b) The useable floor area of an addition to the primary dwelling unit to accommodate an Interior Additional Residential Dwelling Unit shall not exceed 100 square metres per additional residential dwelling unit.	**Based on a review of the zoning by-law reliefs that are being sought for ARDU, an average of 100 square metres of maximum useable floor area may be permitted.** **Occupation of the whole basement for an interior ARDU is permitted in subsection 3.2.3.1.a)**

Comprehensive Zoning By-law Housekeeping Amendment

Section 3: General Provisions		
Existing Zoning By-law provisions	Proposed Zoning By-law provisions	Update/Amendment Context
Section 3.23 Model Homes **Notwithstanding any other provision of this By-Law, where a subdivision or condominium agreement or preservicing agreement has been executed by the owner regarding the development of a site, more than one (1) single detached dwelling, semidetached dwelling or townhouse dwelling may be constructed on a lot as a model home in accordance with a conditional building permit prior to the registration of the plan of subdivision or condominium plan subject to the following provisions:**	New Subsection 3.26.f) f) model homes shall be used as models only and shall not be occupied for residential purposes until such time as all the requirements as set out in the applicable subdivision agreement have been complied with to the satisfaction of the County and the subdivision has been registered.	Model homes shall not be used as habitable units until the registration of the subdivision agreement and the fulfillment of all applicable requirements of servicing, public health and safety, and environmental mitigation measures, etc are addressed to the satisfaction of the County.
3.36 Surplus Farm Dwelling Severance Properties **In addition to other provisions set out in this By-Law, where the Committee of Adjustment has approved the severance of a surplus farm dwelling lot (the "severed lot") from an agricultural property (the "retained lands") as a result of farm consolidation, the following provisions shall apply:** **d) Any new zoning deficiencies created by the severance of the severed lot, excluding those matters set out in paragraphs (b) and (c) above, shall require zoning relief through the approval of a planning application;**	**Section 3.41 Surplus Farm Residence Severance** In addition to other provisions set out in this By-Law, where the Committee of Adjustment has approved the severance of a surplus farm residence lot (the "severed lot") from an agricultural property (the "retained lands") as a result of farm consolidation, the following provisions shall apply: d) Any new zoning deficiencies created by the severance of the severed lot and the retained lot, excluding those matters set out in paragraphs (b) and (c) above, shall require zoning relief through the approval of a Planning Act application; **New Subsection 3.41.f)** a)Septic systems required for a surplus farm residence shall be entirely contained within the surplus farm residence lot.	**Farm residence includes the main farm dwelling and any permitted detached additional residential dwelling unit both of which shall be severed within a single farm residence parcel.** **Upon the creation of a new lot both the retained and severed lot need to be brought into compliance as the creation of a new lot is defined as development in accordance with provincial policy.** **Servicing systems of the farm residence shall be located within the severed lot boundary.**

Comprehensive Zoning By-law Housekeeping Amendment

Section 3: General Provisions		
Existing Zoning By-law provisions	Proposed Zoning By-law provisions	Update/Amendment Context
Section 3.2.2. Boathouse Notwithstanding Subsection 3.2.1, a boathouse as an accessory use to a residential use shall comply with the provisions in the applicable Zone and with the following provisions:	**New proposed subsection 3.2.2.g)** g) when the main residential use is not established on a lot, a boathouse may only be permitted if a building permit was issued for the main dwelling.	**The construction of a boathouse on a vacant lot is not permitted.**
3.**3.38 Site Plan Control** 3.38.3 Notwithstanding the above, no site plan shall be required for: a) development of farm buildings and the residence of the farm operator; b) development in the form of residential freehold street townhouse units approved as part of a registered plan of subdivision; c) development in the form of single detached, semi-detached, or duplex dwellings, except in cases where specifically required;	**New subsection 3.43.3. d) and e)** d) residential building that contains 10 or less dwelling units on a single lot; e) the placement of a portable classroom on a school site of a district school board in accordance with section (41) of the Planning Act. **New subsection 3.43.4** 3.43.4 Notwithstanding the above, Site Plan Control is required if the site is within a prescribed area, as amended by provincial regulation.	**The amendment is in alignment with applicable site plan control regulations.**

Comprehensive Zoning By-law Housekeeping Amendment

Section 9: Open Space (OS) Zones		
Existing Zoning By-law provisions	Proposed Zoning By-law provisions	Update/Amendment Context
Sections 9.1 Open Space Zone (OS) & 9.2 Open Space – Tent and Trailer Zone (OST) Section 9.1.3 Zone provisions for Campgrounds and Section 9.2.3 Zone provisions for Campgrounds Not covered in the current Zoning By-Law.	Sections 9.1.3 and 9.2.3 9.1.3 Zone provisions for Campgrounds 9.1.3 No person shall use any lot in an OS Zone for campgrounds except under the following provisions: a) A maximum lot coverage of 35 percent shall be permitted. b) Such use shall be located in any required parking space or sight triangle. Same provisions for section 9.2.3 Zone provisions for Campgrounds	**Special provisions to limit lot coverage on parcels used for campgrounds.**
4.2 Location of Parking on a Lot 4.2.4 Other Provisions a) For tri-plex dwellings, duplex dwellings, four-plex dwellings, street townhouses, stacked townhouses, and boarding or lodging houses, required parking spaces shall be prohibited within the required front yard or required exterior side yard; except where a dwelling unit has a private garage in which case the driveway leading to the private garage may be used as a parking space subject to the size requirements herein;	**4.2 Location of Parking on a Lot** 4.2.4 Other Provisions a) Notwithstanding any other provision of this By-law to the contrary, for tri-plex dwellings, duplex dwellings, four-plex dwellings, street townhouses, stacked townhouses, and boarding or lodging houses, no more than two required parking spaces shall be permitted required parking spaces shall be prohibited within the required front yard or required exterior side yard; except where a dwelling unit has a private garage in which case the driveway leading to the private garage may be used as a parking space and only one required parking space shall be permitted within the required front yard subject to the size requirements herein.; b) Notwithstanding any other provision of this By-law to the contrary, for tri-plex dwellings, duplex dwellings, four-plex dwellings, street townhouses, stacked townhouses, and boarding or lodging houses, required parking spaces shall be prohibited within the required exterior side yard; except where a dwelling unit has a private garage in which case the driveway leading to the private garage may be used as a parking space subject to the size requirements herein;	**No more than two required parking spaces shall be permitted within the required front yard or the required exterior side yard for medium density residential development which was previously prohibited.**