

THE CORPORATION OF THE TOWNSHIP OF MULMUR

BY-LAW NO. ____ – 2022

BEING A BY-LAW TO AMEND BY-LAW NO. 28-18, AS AMENDED, THE COMPREHENSIVE ZONING BY-LAW FOR THE CORPORATION OF THE TOWNSHIP OF MULMUR.

WHEREAS the Council of the Corporation of the Township of Mulmur is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the *Planning Act*, R.S.O.1990 c.P. 13, as amended;

AND WHEREAS Council hosted a public meeting on September 1, 2021, September 7, 2022 and October 5, 2022;

AND WHEREAS Council is satisfied that Notice of the Public Meeting have been given in accordance with the *Planning Act*, R.S.O.1990, c.P. 13, as amended, and that no further notice is required;

AND WHEREAS Council is satisfied that the proposed amendments are appropriate and in accordance with the Official Plan in effect at the time, as well as applicable Provincial policies and plans;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MULMUR ENACTS AS FOLLOWS:

1. Section 3.2.1.2 Large Accessory Buildings as Principal Uses is hereby amended by replacing 120m² with 140m² wherever it appears.
2. Section 3.2.3 Regulations for Accessory Buildings and Structures is amended by replacing 10 m² with 15 m² wherever it appears in section 3.2.3 and replacing the table with the following:

Provisions applying to Accessory Building and/ or Accessory Structure	Zone											
	Countryside Area (A)	Rural Residential	Hamlet Residential	Estate Residential	Rural Commercial	General Commercial	Business Park Gateway Core, Transition	Highway Commercial	Industrial	Recreational	Institutional	Open Space
Required to meet zone requirements	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Permitted in front of Principal Building provided it meets minimum front yard and exterior side yard setbacks of zone	✓											✓

Maximum total number of all accessory buildings or structures having a gross floor area of 15 m ² or less, not including <i>non-commercial wind turbines</i> and <i>non-commercial solar panels</i>	2	2	1	1	2	1	1	1	1			
Maximum total number of all accessory buildings and structures greater than 15 m ²	2	2	1	1	2	1	1	1	1			
Maximum gross floor area as a percentage of the floor area of the largest dwelling (including attached garage to a dwelling) or main building (%)	100	100	75	75	100	40	40	40	40			75
Maximum gross floor area of all accessory buildings and structures (m ²)	140	140	140	140	140							140
Maximum height (m)	6	6	4.5	4.5	6							4.5
Ground floor area of accessory buildings and structures shall be Included in calculation of total lot coverage	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Minimum interior side or rear yard setback, to a maximum of the minimum requirement for the principal building on the lot where:												
Gross floor area is less than 20 m ²	1.5m											
Gross floor area is between 20 m ² and 40 m ²	3m											
Gross floor area between 40 m ² and 60 m ²	4.5m											
Gross floor area is greater than 60 m ²	6m											

Provisions applying to Signs	Zone											
	Countryside Area (A)	Rural Residential	Hamlet Residential	Estate Residential	Rural Commercial	General Commercial	Business Park Gateway Core, Transition	Highway Commercial	Industrial	Recreational	Institutional	Open Space
Maximum total number of signs	2	2	1	1	1	1	1	1	1	2	1	1
Maximum face areas of a sign accessory to and providing advertising or identification in relation to the property or a land uses in Mulmur, unless otherwise specified. (m ²)	3	3	1	1	3	3	3	3	3	3	3	3
Sign shall maintain a minimum setback of 4 m to all lot lines and shall be permitted in the front yard.												
No sign shall be illuminated.												

3. Section 3.2.5 Signs is deleted in its entirety.

4. Section 3.3 Dwelling Units, Additional Single Dwellings & Attached Accessory Dwelling Units is amended by deleting section 3.3.2 and 3.3.3. and is replaced with the following:

3.3.2 Detached Additional Single Dwellings

Where an additional detached single dwelling is permitted, such dwelling shall comply with the following provisions:

- i) Minimum lot size shall be 2.0 ha.*
- ii) The gross floor area of the additional single dwelling shall be no more than 50% of the gross floor area of the principal single detached dwelling, and no more than 80 m², and shall not exceed the lot coverage for all accessory structures in subsection 3.2.3.*
- iii) Such dwelling shall only be permitted where there is a site plan agreement between the owner and Township.*
- iv) A detached accessory dwelling unit shall not be permitted if there is already more than one dwelling unit.*

3.3.3 Attached Accessory Dwelling Unit

Where an attached accessory dwelling unit is permitted, the following provisions shall apply;

- v) Minimum lot size shall be in accordance with section 3.10.2.3, Existing Undersized Lots of Record.*
- vi) Water and septic services shall be adequately sized to allow for the accessory dwelling unit.*
- vii) Accessory dwelling unit and main dwelling shall be attached either through a common ceiling/floor or wall having a minimum face area of 12 m². A common breezeway or any other form of roof connection or hallway shall not be considered attached.*
- viii) An attached accessory dwelling unit will not be permitted if there is already a second dwelling unit.*

5. Section 3.3.9, Dwelling Units in Non-Residential Buildings shall be amended by adding the following at the end of the subsection:

Where an accessory attached dwelling unit is permitted to be located within non-residential building, such dwelling unit shall be located behind or above the non-residential use.

6. Section 3.6, Home Industry is amended by deleting subsection iii) and replacing subsection i) with the following:

- i) All development shall be subject to site plan control.*

7. Section 3.7, Home Occupations is amended by deleting subsection ii) and adding the following to the end of subsection vii:

“A catering business shall be permitted but a restaurant, including take-out shall not be permitted. Pick-up of frozen foods and bulk bakery items prepared on site, is permitted.”

8. Section 3.8.3, Backyard Hens is deleted in its entirety and the remaining sections renumbered accordingly.

9. Section 3.8.4 On-Farm Diversified Uses is deleted and replaced with the following:

3.8.4 ON-FARM DIVERSIFIED USES

Where permitted, on-farm diversified uses shall be subject to the following provisions:

- i) The on-farm diversified use (including lands for buildings, structures, landscaping, servicing, buffering, parking) may occupy no more than 2% of the property on which the uses are located, to a maximum of 1 ha.*
- ii) Maximum ground floor area of all buildings and structures building shall be 20% of the 2% of the lot area, to a maximum of 200 m2.*
- iii) The floor area of farm building that existed prior to 2012 may be used in the on-farm diversified use and calculated at 50% floor area towards the maximum 20% of the 2% lot area.*
- iv) All on-farm diversified uses shall be subject to site plan approval.*
- v) Except as otherwise permitted as an agricultural use, including but not limited to agri-tourism and farmer’s market, all business use shall be conducted within a completely enclosed structure.*
- vi) No outdoor storage shall be permitted.*
- vii) An assembly hall any other event facility will only be considered through a site specific amendment, to this by-law, or a special event permit.*

10. Section 4.1.1, Permitted Uses is amending by replacing the second permitted use, being an “Additional Single dwelling ASD (1)

<i>Accessory dwelling unit in a detached structure (1) in accordance with section 3.3</i>	X	X
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11. Section 4.2.1 is hereby amended by deleting “or habitable pool house” from subsection ii.

12. Section 4.8, Recreational, 4.9, Institutional, 4.10.1 Business Park Gateway, 4.10.2 Business Park Core, and 4.10.3. Business Park Transition are amended by adding “assembly hall” to subsection Permitted Uses.

13. *Marijuana Growing Facility* and *Medical Marijuana Facility* shall be replaced with *Cannabis Facility* wherever they appear.
14. The definition for *Agricultural Use* in section 5 shall be amended by adding “including the growing of cannabis and hemp” after “biomass”.
15. Section 5, *Definitions*, is hereby amended by adding the following definitions in alphabetic order:

Assembly Hall

Means: a large room or building where people can congregate, hold meetings, weddings or multiple uses, but shall not include a Place of Worship.

Catering Business

Means: a business that prepares food and/or beverage and does not include any on-site consumption of food and beverages. A catering business shall comply with all regulations and licensing requirements.

Take-Out Restaurant

Means a restaurant or business that offers individual meals or beverages to be purchased and are ready to consume immediately

16. The following definitions in section 5 shall be deleted and replaced with the following:

CANNABIS FACILITY

Means the growing of cannabis (marijuana) as authorized by the Government of Canada, either outdoor or within a building or structure. A cannabis facility may also include accessory research, accessory processing and accessory cannabis retail as licensed by the AGCO.

ON-FARM DIVERSIFIED USES: *means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. Ground mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses.*

IMPLEMENT SHED

Means a building having a minimum gross floor area of 140 m², other than a dwelling unit that is capable of being used for some agricultural purpose or purposes, the non-commercial storage of products or commodities produced on a farm, hay or straw storage, the storage of farm machinery and equipment or any other similar

purpose incidental to a permitted agricultural use on the lot. Such building shall be accessory to a crop operation having a minimum of 15 ha of tillable land or accessory to a livestock facility.

This By-law shall come into force upon the date of passage hereof and take effect on the day after the last day for filing appeals. Where objections to the By-law are received in accordance with the provisions of the *Planning Act*, R.S.O.1990, c.P 13, as amended, the By-law shall come into effect upon the approval of the Local Planning Appeal Tribunal.

READ A FIRST, SECOND and THIRD TIME, and finally passed this ___ day of _____, 2022

JANET HORNER, MAYOR

TRACEY ATKINSON, CLERK

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