

**THE CORPORATION OF THE TOWNSHIP OF BONFIELD
BY-LAW NO. 2025-11**

**BEING A BY-LAW TO AMEND COMPREHENSIVE ZONING BY-LAW 2012-49 FOR
THE TOWNSHIP OF BONFIELD FOR ADDITIONAL DWELLING UNITS, HUNT
CAMPS AND ACCESSORY STRUCTURES**

WHEREAS By-law No. 2012-49 as amended is the Zoning By-law of the Corporation of the Township of Bonfield;

AND WHEREAS the Council of the Corporation of the Township of Bonfield deems it necessary to enact a by-law to reflect current practices, procedures, and statutory requirements;

AND WHEREAS certain housekeeping changes are required, and Council deems it appropriate to make these changes related to the provision of Accessory Structures, Hunt Camps, and Additional Dwelling Units (ADUs);

AND WHEREAS authority is granted pursuant to Section 34 of the Planning Act, R.S.O 1990 to enact such amendments;

AND WHEREAS the Province of Ontario has enacted new legislation such as the Build More Homes Faster Act, and a new Provincial Planning Statement to encourage more housing opportunities;

NOW THEREFORE BE IT ENACTED by the Council of the Corporation of the Township of Bonfield the following amendments:

1. Definitions

1.1 The meaning of words included within this Zoning Amendment By-law shall be consistent with the definitions contained with the adopted Comprehensive Zoning By-law 2012-49, with the exception of new terms hereby described in this By-law Amendment:

1.2 Section 2 - Definitions are hereby amended as follows:

1.2.1 Amend for consistency as follows:

Accessory (Building, Structure or Use)

Means a building, structure, or use, that is incidental, subordinate and exclusively devoted to the principal building, structure, or use and located on the same lot.

1.2.2 Add the following:

Additional Dwelling Unit(s) (ADUs)

Means a self-contained residential unit created by either:

- i) An interior renovation within an existing dwelling - to a maximum of 2 dwelling units within the primary structure; Or
- ii) As an exterior addition, provided that one entire face of the addition is attached to the principal dwelling: Or
- iii) As a standalone unit within the same lot boundaries of the primary structure, and subject to other zoning provisions including minimum setbacks, and appropriate site servicing arrangements.
- iv) And whereas all dwellings listed above collectively constitute a single real estate entity.

1.2.3 Add the following:

Additional Dwelling Unit (Attached)

Means a self-contained dwelling unit with separate kitchen and bathroom facilities within a single detached or semi-detached dwelling of the same lot, as constructed, renovated or altered to be considered as attached.

1.2.4 Add the following:

Additional Dwelling Unit (Detached)

Means a self-contained dwelling unit with separate kitchen and bathroom facilities within an accessory building positioned within the rear yard or side yard of the same lot that accommodates the primary single detached dwelling unit but does not include a boathouse;

1.2.4.1 Add the following:

Additional Dwelling Unit Conversion (ADUC) (Detached)

Means a proposed detached additional single family dwelling containing cooking, eating, living, sleeping, sanitary, and laundry facilities on a property that has an existing single family dwelling and that the new additional dwelling is up to 60% greater in gross floor area (GFA) than the existing single family dwelling (SFD), but not greater than 2000 Sq Ft., forming a single real estate entity and whereas the existing SFD shall then be reclassified as the Additional Dwelling Unit (ADU) and the new ADUC SFD is then converted to the primary dwelling prior to the occupancy of the new dwelling.

1.2.5 Add the following:

Building, Primary

Means the Principal Dwelling Unit on a lot.

1.2.6 Delete as follows:

Dwelling, Secondary

Means a self-contained dwelling unit created by either an interior renovation within an existing dwelling, or as an exterior addition, provided that one entire face of the addition is attached to the principal dwelling; however, a secondary dwelling unit shall not be considered a second dwelling on the lot for the purposes of this By-law.

1.2.7 Add the following:

Hunt Camp(s)

Means a single storey building or structure with a maximum total floor area of 800 Sq Ft. Or 74.3 Sq m. consisting of one or more rooms and may include facilities for the preparation of food and overnight accommodation on a private, temporary basis for use only during the hunting or fishing seasons but shall not be used as a *dwelling* of any sort, nor commercial accommodation premises; nor any commercial uses, as defined in the Comprehensive Zoning By-Law [As amended].

1.2.8 Delete the following:

Garden Suite

Shall mean a temporary, detached, portable housing unit intended for the use of an elderly member of the immediate family which is located on the same lot with an existing single-detached dwelling where the family is residing and which shares the private water supply and sewage disposal facilities with the single-detached dwelling, but shall not include a mobile home.

1.2.8 Add the following:

Shipping Container

Means a prefabricated structure originally designed for or capable of being mounted or moved by rail, truck, or ship by means of being mounted on a chassis or similar transport device and now utilized for accessory storage. This definition includes the terms 'sea can', 'disused railcar' and 'storage container' having a similar appearance and characteristics to a shipping container.

1.2.9 Add the following:

Tiny Homes

Means a structure consisting of 1 dwelling unit between 188 Sq Ft. / 17.5 Sq. Meters. and not more than 400 Sq Ft. / 37 Sq Meters, as regulated under the Ontario Building Code, Division C, Section 1.11.

1.2.10 Add the following:

Semi-Detached Dwellings

Means two residential homes sharing a common centre wall with separate ownership.

2. Rules and Regulations to be Observed

The following rules and regulations are to be amended in respect of any proposed new buildings and structures as described:

2.1. Accessory (Building, Structure, or Use)

2.1.1 Amend *Section 3.11.1* as follows:

An accessory building shall not be erected prior to the erection of a permitted dwelling on the same lot except where it is necessary for the storage of tools and materials for the use in connection with the construction of such dwelling and no accessory building shall be used prior to the erection of such dwelling for any purpose other than such storage. The applicant shall obtain a building permit for the principal dwelling and the accessory building, and the applicant shall enter into an agreement with the municipality that whereas the accessory building is constructed prior to the principal dwelling and that the principal dwelling is not substantially commenced within 1 year of the issuance of the building permit and/or not having obtained Occupancy approval from the Chief Building Official for the principal dwelling within 3 years of the issuance of the building permit or to the satisfaction of the Chief Building Official that the accessory building shall be removed from the property at the owner's expense.

Except as may be provided herein any accessory building shall comply with the 3-metre yard requirement applicable to all zones and such accessory uses shall not occupy more than 15% of the lot area.

2.1.2 Amend *Section 3.11.7* as follows:

Except as 3.45.9.4, when a lot is proposed to be used for more than one purpose, the lot shall be zoned for its primary purpose and accessory uses shall be permitted where the accessory uses are an integral part of the main use, are intended solely for the convenience of the people using the facility and are in keeping with the character of the main use. Such accessory uses shall conform to all applicable sections of the Comprehensive Zoning By-law, and this Housekeeping By-law and in no case shall occupy more than 20 percent of the total area of any lot.

2.1.3 Add a new *Section 3.11.8* as follows:

Shipping Containers

For the purposes of this by-law, Shipping Containers shall be considered accessory storage structures for planning purposes. The following provisions apply:

- i) Shipping Containers greater than 161.5 Sq Ft. / 15 Sq Meters or of any size containing plumbing, or shipping containers attached to any other structures, or used for purposes other than personal storage sheds ancillary to a principal building, shall not be placed or constructed on a property except under the authority of a Building Permit and shall comply with the Ontario Building Code and all Applicable Laws.
- ii) No Shipping Container shall exceed 5 metres in height in any Residential Zone, nor be placed within 2 metres of the main building in all zones, and except under the authority of a building permit containers shall not be stacked upon other containers.

- iii) Shipping Containers shall not be permitted within the Shore Road Allowance bordering any water body and shall be positioned beyond the 30-meter setback over which the North Bay Mattawa Conservation Authority has jurisdiction and, for which, a Section 28 permit would be required.
- iv) In the Rural Areas, where lot size and dimensions permit, a minimum landscape buffer of 30 metres shall be applied around the perimeter of the property to ensure satisfactory screening of the Shipping Container. Exceptions to this rule can be met where alternative arrangements such as tree lines, fences, siding, or other architectural improvements have been proposed, and approved by the Township that would be considered visually appealing.
- v) A shipping container shall be rust protected by applying a uniform colour to ensure their satisfactory design quality and visual appearance. All markings shall be removed or masked from the container. The container shall be maintained in such a state.
- vi) Shipping Containers, in all zones, shall not be used for advertising or marketing purposes.

2.2 Amend the following section and text:

Section 3.38 - Secondary Dwelling Units

- i) A maximum of one (1) secondary dwelling unit shall be permitted in a single-detached dwelling within the Residential Limited Service Zone only provided that: it does not alter the streetscape character along the street where it is located; it is not stand alone and cannot be severed, and; a building permit is required prior to the establishment of the secondary dwelling unit;
- ii) The entrance to the secondary dwelling unit is located on the ground level, except where building and fire codes dictate otherwise;
- iii) Parking for the secondary dwelling units shall be provided in accordance with the provisions of the parking requirements of this by-law, and;
- iv) The secondary dwelling unit shall not exceed fifty-six (56) square metres in gross floor area.

2.3 Delete the following:

Section 3.39 - Garden Suites: Delete this section in its entirety

2.4 Add the following:

Section 3.44 - Hunt Camps

- 3.44.1 Hunt Camps shall be seasonal structures which shall not exceed a maximum Gross Floor Area of 800 Sq Ft, or 74.3 Sq m. They are not designed for year-round occupancy and shall not be permitted to be used as such.
- 3.44.2 Hunt camps shall be permitted in the Rural Zone *where lands exceed 10 hectares*.
- 3.44.3 Hunt Camps must comply with the Ontario Building Code and all Applicable Laws.
- 3.44.4 A Building Permit must be obtained from the Chief Building Official prior to the construction of a Hunt Camp, Wood Stove, Decks and/or Plumbing.

2.5 Add the following:

Section 3.45 - Additional Dwelling Unit(s)

- 3.45.1 For the purposes of this by-law, Additional Dwelling Units (ADUs) are further categorized as follows:
 - i) **Additional Dwelling Unit (Attached)**
 - ii) **Additional Dwelling Unit (Detached)**

3.45.2 Additional Dwelling Units, including a combination of attached and/or detached units, will be permitted within the Township of Bonfield to a **maximum of three (3) Dwelling Units per eligible Lot** within the prescribed zones as listed in Section 4 of the Comprehensive Zoning By-law 2012-49 [As amended].

3.45.3 A **maximum of two (2) Dwelling Units** will be permitted within the **Primary Structure, to be counted towards the maximum of 3 units per lot**. Any proposal to introduce more than two (2) Dwelling Units within the Primary Structure would require the property to be rezoned as a **'Residential, Multiple-Attached (RM) Zone'** to ensure compliance with the Ontario Building Code.

3.45.4 A maximum of two (2) ADUs shall be permitted in the following zones:

- i) **Residential 1st Density Zone**
- ii) **Residential 2nd Density Zone**
- iii) **The Rural Zone**

3.45.5 All lots within in all zones are subject to approval by the NBMCA. As such, ADUs shall not be permitted within:

- i) Any property that is deemed unsuitable by the NBMCA;
- ii) Within any zone which does not permit a permanent dwelling unit;
- iii) Within mobile homes, recreational vehicles, hunt camps, guest cabins, shipping containers, or any other accessory structure that is not designed and permitted for human occupation; Or
- iv) Other zones considered incompatible with the proposed residential use.

3.45.6 The minimum size of any habitable ADU is 188 Sq Ft or 17.5 Sq Meters.

3.45.7 The Gross Floor Area (GFA) of the ADU shall not exceed 60% of the total GFA of the primary residence.

3.45.7.1 The Gross Floor Area (GFA) of a Detached ADU shall not exceed 60% of the GFA of a Primary Dwelling except under an ADU Conversion (ADUC) described in the definitions under ADUC [1.2.4.1].

2.5.1 Add the following:

The Residential 1st and 2nd Density Zones

3.45.8 In the Residential 1st and 2nd Density Zones, ADUs shall be located in the rear or side yard of the primary dwelling.

2.5.2 Add the following:

The Rural Zone

3.45.9 In the Rural Zone, the following shall apply:

3.45.9.1 A maximum of one Detached ADU is permitted on a lot where there is one existing primary dwelling. Where two ADUs are proposed, one of the ADUs shall be located within or attached to the primary dwelling.

3.45.9.2 Detached ADUs shall comply with Minimum Distance Separation (MDS) Formulae

3.45.9.3 On lots which contain agricultural uses, ADUs shall be located within the farm building cluster.

3.45.9.4 Detached ADUs shall be considered accessory structures for the purposes of calculating lot coverage. Notwithstanding the policies of this By-law, lot coverage for all accessory structures including Attached and Detached ADUs, shall not exceed 15% in the rural area.

2.5.3 Add the following:

All Applicable Zones

Access and Parking Requirements

3.45.9.5 Access shall be provided via the existing point of access to the primary dwelling:
Or

3.45.9.6 A new secondary access may be permitted to serve the ADU, so long as:

- i) The property is served by a municipally maintained road;
- ii) The access would not have an adverse impact on local traffic flows, or the character and amenity of neighbouring land uses; and
- iii) The access would be subject to MTO approval off a regulated Highway, and/or;
- iv) Is approved by the Public Works Manager.

3.45.9.7 The following parking standards are established with respect to ADUs:

- i) Each additional dwelling unit shall have one (1) parking space that is provided and maintained for the sole use of the occupant of the additional dwelling unit
- ii) A parking space that is provided and maintained for the sole use of the occupant of an additional residential unit may be a tandem parking space.

2.5.4 *Add the following:*

Building Requirements

3.45.9.8 Proposed ADUs shall comply with the Ontario Building Code and all applicable laws.

3.45.9.9 Where an **Attached ADU** is proposed, the ADU shall be self-contained within the primary building envelope and must be physically separated from the primary dwelling unit through the incorporation of building design standards that are consistent with the Ontario Building Code and approved by the Chief Building Official for the Township of Bonfield.

3.45.9.10 A maximum of One (1) Attached ADU shall be permitted in a single-detached dwelling subject to the following:

- i) It does not alter the streetscape character along the street where it is located.
- ii) It is not a standalone unit and cannot be severed.
- iii) A building permit has been obtained.
- iv) The entrance to the ADU shall be located on the ground level (except where building and fire codes dictate otherwise);
- v) Parking for the secondary dwelling units shall be provided in accordance with the provisions of the parking requirements of this by-law, and;
- vi) The Additional Dwelling Unit shall not exceed 60% of the gross area of the primary dwelling unit.

3.45.9.11 Where a **Detached ADU** is proposed on the same lot as the primary structure, it must have the same ownership. Septic and water services cannot be shared either between, or across, separate lots.

3.45.9.12 In all circumstances, applicants shall;

- i) Obtain an On-Site Sewage System Permit from the North Bay Mattawa Conservation Area (NBMCA) for the alteration of an existing, or construction of a new or secondary septic On-Site Sewage System to accommodate the ADU; Or
- ii) Provide a File Review Certificate from the NBMCA where the proposed ADU will be tying into an existing on-site sewage system, to ensure it has the capacity to accommodate the additional loads that may be imposed by the ADU; and

- iv) Provide either document listed above which shall reference that the proposed ADU and on-site sewage system meet the minimum clearance distances to all other existing buildings on the property as regulated under Section 8.2 of the Ontario Building Code.

3.45.9.13 In certain locations and circumstances, where lots have less than 0.6 hectares and less than 60 meters of frontage, a Hydrogeological Assessment may be required to demonstrate there is sufficient capacity to accommodate a new and/or upgraded well to service the ADU;

3.45.9.14 Laundry facilities shall be provided for all ADUs.

3.45.9.15 Where an ADU is proposed as part of the primary building; a common or shared laundry facility may be permitted, provided that the fire separations and other requirements comply with the Ontario Building Code.

3.45.9.16 ADUs shall not adversely impact the amenity, character, or functional and permitted use of adjoining properties. In all circumstances, other zoning provisions shall apply including but not limited to minimum lot sizes and setbacks between structures, and the properties' boundaries.

2.5.5 Add the following:

ADU Occupancy

3.45.9.17 An ADU may be occupied by any person regardless of whether:

- i) The person who occupies the ADU is related to the person who occupies the primary residential unit is related to the person who occupies the primary residential unit; and
- ii) The person who occupies either the primary or additional dwelling unit is the owner of the Lot.

3.45.9.18 Where the use of ADUs is authorized, an ADU is permitted regardless of the date of construction of the primary dwelling.

2.5.6 Add the following:

Primary / ADU Conversion

3.45.9.19 Property owners can convert an Additional Dwelling Unit to a Primary Dwelling Unit through written agreement with the Township provided all other provisions can be adhered to.

3. Zones

*3.1 Amend the zones described in **Section 4 - Zones**, as follows:*

Section 4.1.1 - Residential, First Density (R1) Zone

a) Residential Uses - Permitted

- Add Up to Two (2) Additional Dwelling Units (ADUs)
- Remove Garden Suite
- Remove Secondary Dwelling Unit

Section 4.2.1 - Residential, Second Density (R2) Zone

a) Residential Uses - Permitted

- Add Up to Two (2) Additional Dwelling Units (ADUs)
- Remove Garden Suite
- Remove Secondary Dwelling Unit

Section 4.3 - Residential, Limited Services

- Remove Garden Suite

Section 4.11 - Rural (RU) Zone

a) Residential Uses - Permitted

- Add Up to Two (2) Additional Dwelling Units (ADUs)
- Remove Secondary Dwelling Unit

4. **THAT** this By-law shall come into force and effect on the date of passing thereof.

READ A FIRST AND SECOND TIME THIS 28TH DAY OF JANUARY 2025

READ A THIRD TIME AND CONSIDERED ADOPTED THIS 13TH DAY OF MAY 2025.

MAYOR

CLERK