CORPORATION OF THE TOWN OF HUNTSVILLE

BY-LAW NUMBER 2019-12

(Town of Huntsville - Housekeeping)
Being a by-law to amend Zoning By-law 2008-66P as amended, of the Corporation of the Town of Huntsville

WHEREAS the council of the Corporation of the Town of Huntsville finds it expedient to amend Zoning By-law 2008-66P, as amended;

AND WHEREAS authority to pass this by-law is provided by Section 34 of the Planning Act, R.S.O, 1990. c. P. 13 and amendments thereto;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF HUNTSVILLE ENACTS AS FOLLOWS:

1. Delete definition 2.78 and replace with:
   **HENS, BACKYARD** Means the accessory use of land or a structure used to raise hens (excluding roosters), subject to the following:
   - a maximum of five(5) hens is permitted on a lot equal to and less than 0.4 hectares (1 acre) in area
   - a maximum of ten(10) hens is permitted on a lot greater than 0.4 hectares (1 acre) in area,
   - Hens must be kept in the rear yard, in a screened, rodent and predator proofed enclosure that must be located a minimum of 4.5m from a side or rear property line.
   - The hens must be maintained in accordance with good animal husbandry practices as defined by the ministry of Food and Agriculture.
   - The hens and eggs shall be for domestic use only and may be sold in accordance with the Home Occupation provisions.

2. Delete definition 2.80 and replace with:
   **HOME OCCUPATION**: Means a gainful occupation conducted in a detached dwelling or accessory building, which is secondary and accessory to the use of the dwelling as a private residence.

3. Definition 2.97 **LOT LINE FRONT** c) delete “except in the case of a lot in a residential zone which is on full municipal water and sewer services, the lot line dividing the lot from the public street or public road shall be deemed to be the front lot line”.

4. Add definition:
   **CANNABIS PRODUCTION FACILITY** means the use of land, buildings and structures for the purpose of cultivating, growing, processing, packaging, testing, destroying, sorting or shipping federally licensed marijuana. A Marijuana Production Facility consists of some or all of the following components: greenhouses, warehouses, laboratories, processing facilities, administrative offices, and shipping facilities, but does not include onsite retail sales of federally licensed marijuana. A Marijuana Production Facility is licensed or authorized by Health Canada and/or other government agency responsible for regulation of the proposed activities.
5. Add definition:
SEMI-DETACHED DUPLEX DWELLING means a building designed to contain two or more dwelling units attached side by side, two units high, with each dwelling unit having a private entrance at grade level.

6. Delete Section 3.1.15.3 and replace with:
A detached two storey private garage may be permitted within any Residential, Shoreline Residential or Rural zone, provided that:
   a) The maximum height of the garage is 7 metres (23 feet).
   b) The garage is a minimum of 6 metres (19.7 feet) from the side and rear lot lines.
   c) In a Shoreline Residential zone only, the total building area of the garage does not exceed a maximum of 60 square metres (645.8 sq. ft.).

7. Amend 3.1.18.7 a) to include at the end of the provision “and shall also include the area of any porch or other projections over a dock.”

8. Amend 3.21 c) to read “and maintain the character of the single detached dwelling or street townhouse”.

9. Delete 3.8.1 Home Occupation e) and replace with:
   e) the home occupation shall be conducted entirely within a detached dwelling or accessory building.

10. Add new 3.8.1 Home Occupation f)
   f) In the case of a home occupation located in an accessory structure, such structure shall not be located within a shoreline yard, front yard or exterior side yard and shall not exceed a maximum floor area of 60 square metres.

11. Permitted Uses Table 5.2.2 Add “semi-detached duplex dwelling” as an additional permitted use in R3 Zone.

12. Permitted Uses Table 5.7.2 Add “semi-detached duplex dwelling” as an additional permitted use in MU1, MU2 and MU3 Zones.

13. Amend reference 5.2.3 xiii a) and 5.7.3 xii a) from “within a single family dwelling only” to read “within a single family dwelling or street townhouse only”.

14. Section 6 – “Special Exceptions” is hereby further amended by the following:

   Exception No.”0279” amended with the addition of:
   h) A DSTM Retail Store shall have a minimum gross floor area of 464.5 square metres.

15. “Map No. “F-7-2” of Zoning By-law 2008-66P, as amended, is further amended by rezoning Part of Lot 9, Concession 3, Geographic Township of Chaffey, from a Natural Resource Floodway - 0989 (NR1-0989) Zone to a Natural Resource Floodway (NR1) Zone, as shown blackened on Schedule "I" attached hereto.

16. Schedule "I" attached hereto, is hereby made part of this by-law.
17. This By-law shall come into force on the date of passage and take effect the day after the last date for filing of appeals where no appeals are received, or, where appeals are received, upon the approval of the Local Planning Appeal Tribunal.

READ a first time this 25th day of February, 2019.

Mayor (Scott Aitchison)  Clerk (Tanya Calleja)

READ a second and third time and finally passed this 25th day of February, 2019.

Mayor (Scott Aitchison)  Clerk (Tanya Calleja)