

## **EXPLANATORY NOTE**

**TO**

### **BY-LAW NO. 15-2021**

Pursuant to Section 39 of the *Planning Act*, as amended, the council of a local municipality may, in a By-law passed under Section 34, authorize the temporary use of land, buildings and structures for any purpose set out therein that is otherwise prohibited by the by-law.

The purpose of this By-law is to amend Zoning By-law No. 160-90 to permit the use of motor homes and travel trailers (recreational vehicles) for temporary occupancy in order to provide an alternative form of accommodation during the COVID-19 pandemic for front-line workers, individuals that may have tested positive for COVID-19 or for individuals that need a location to quarantine away from others in the household. The temporary use by-law will establish regulations for a period not exceeding 3 years, but can be extended for an additional 3 years or rescinded at any time by Council.

**BY-LAW NUMBER 15-2021****-OF-****THE CORPORATION OF THE CITY OF BRANTFORD**

To amend By-law No. 160-90, being a By-law to regulate the use of lands and the location and use of buildings and structures in the City of Brantford.

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**WHEREAS** the Council of the Corporation of the City of Brantford desires that By-law No. 160-90, as amended, be further amended as hereinafter set out;

**AND WHEREAS** by resolutions passed on April 28, 2020 and as amended November 24, 2020, Council has authorized Staff to prepare a Temporary Use By-law to permit the use of motor homes and travel trailers (recreational vehicles) for temporary occupancy by front line workers or those infected/impacted by COVID-19 until the Declaration of Emergency expires or is otherwise terminated;

**AND WHEREAS** Brantford's Comprehensive Zoning By-Law (160-90) contains certain provisions in relation to the storage or parking of motor homes and travel trailers, which restrict the usage of these vehicles as a location for temporary occupancy during the COVID-19 pandemic;

**AND WHEREAS** under Section 39 of the *Planning Act*, as amended, the Council of a local municipality may, in a By-law passed under Section 34, authorize the temporary use of land, buildings and structures for any purpose set out therein that is otherwise prohibited by the By-law;

**AND WHEREAS** such amendment will be within the terms and intent of the Official Plan for the City of Brantford;

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF BRANTFORD UNDER THE PROVISION OF SECTION 39 OF THE PLANNING ACT R.S.O. 1990 HEREBY ENACTS AS FOLLOWS:**

**1. TEMPORARY EXEMPTIONS TO BY-LAW NO. 160-90**

- .1 Notwithstanding Section 6.18.8 of the By-law, the outdoor storage or parking of a motor home or travel trailer in a RE, R1A, R1B, R1C, R1D, R2, R3, or RC Zone for temporary occupancy during the COVID-19 pandemic, shall be permitted in a minimum required yard subject to the following regulations:
  - .1 Motor homes and travel trailers shall only be permitted on a driveway.
  - .2 That motor homes and travel trailers shall maintain a minimum setback

of 1.0 m from city sidewalks, or (where there is no sidewalk) from the curb or road edge to preserve sight lines.

- .3 That the storage and use of motor homes and travel trailers shall not be permitted on corner lots to preserve sight lines.
- .4 That the storage and disposal of sewage shall comply with all applicable Provincial and City Standards.
- .5 That the storage and use of motor homes and travel trailers shall comply with any applicable requirements of the Grand River Conservation Authority and shall be consulted with accordingly, where applicable.
- .6 That the use of generators for motor homes and travel trailers shall be prohibited.

That all the provisions of Section 6.18.8 to this By-law, and all other provisions of this By-law, as amended, that are consistent with the provisions herein contained, shall continue to apply mutatis mutandis.

**3. EFFECTIVE AND EXPIRY DATE**

- .1 THAT this Bylaw shall become effective from and after the date of passing thereof, and shall expire on January 26, 2024 unless extended by further resolution of Council.

**READ THE FIRST TIME:                      JANUARY 26, 2021**

**READ THE SECOND TIME:                  JANUARY 26, 2021**

**PASSED:    JANUARY 26, 2021**

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MAYOR

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CITY CLERK