

EXPLANATORY NOTE

TO

BY-LAW NO. 16-2021

This By-law is applied to the former County of Brant lands which are now within the City of Brantford. 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. 61-16 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by-law will establish regulations for a period not exceeding 3 years, but can be extended for an additional 3 years or rescinded at any time by Council.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 16-2021

-OF-

THE CORPORATION OF THE CITY OF BRANTFORD

Being a Bylaw to amend County of Brant By-law No. 61-16 as it Affects the “annexed area” Described in the Order Made Under the *Municipal Act, 2001*, S.O. 2001, c.25 CITY OF BRANTFORD, COUNTY OF BRANT

WHEREAS the Council of The Corporation of The City of Brantford has considered an amendment to the County of Brant Zoning By-law 61-16, as it applies to the annexed area, as defined in the Minister’s Order, in accordance with the provisions of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, Section 34;

AND WHEREAS Section 8(2) of the Minister’s Order Made Under the *Municipal Act, 2001*, S.O. 2001, c.25 CITY OF BRANTFORD, COUNTY OF BRANT Dated December 13, 2016 (the “Minister’s Order”) states that By-laws passed under Sections 17, 34, 38, 39 or 41 of the *Planning Act* or a predecessor of those sections shall remain in force until amended or repealed by Brantford;

AND WHEREAS the Council of the Corporation of the City of Brantford desires that By-law No.61-16, (as it relates to the lands now within the City of Brantford) as amended, be further amended as herein 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 the County of Brant’s Comprehensive Zoning By-Law (61-16) 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 County of Brant:

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 5.14 of the By-law, the outdoor storage or parking of a recreational vehicles, specifically a motor home or travel trailer in an Agricultural Zone (A) and in any Non-Urban Residential Zone (SR, RR, RH) (Zoning By-law 61-16) 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 5.14 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 By-law 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

MAYOR

CITY CLERK