

ZONING BY-LAW NO. ____/2026

A BY-LAW TO AMEND

ZONING BY-LAW NO. 1614-15 as amended

- **Reduced Minimum Floor Area For Single Detached Dwellings**
- **Addition of Land Lease Community Homes**

CORPORATION OF THE TOWN OF RAINY RIVER

201 Atwood Avenue
Rainy River, Ontario
P0W 1L0

Planning Consultant:

Robert J. Miller
Professional Land Use Planner

EXPLANATORY NOTE

To Zoning By-law No. _____

Passed by the Council of the Corporation of the Town of Rainy River

Lands Affected:	This By-law applies only to all lands within the Town of Rainy River which permit single detached dwellings and land lease community homes.
Present Zoning:	Rainy River comprehensive Zoning By-law No. 1614-15, as amended, currently contains provisions requiring minimum floor areas for single detached dwellings of 56 square metres (600 square feet).
Proposed Zoning	This Amendment reduces the minimum floor area of single detached dwellings and introduces land lease community homes, all with a minimum floor area of 18.6 square metres (200 square feet) per dwelling.
<u>Planning Act</u>	<p>Under the <u>Planning Act</u> 3(5), any decision affecting a planning matter, made by a municipal Council, must be consistent with, and not conflict with, the policy statements in effect under the PPS on the date the decision is made by Council.</p> <p>Also under Sections 16(3) and 35.1 no Official Plan may contain any policy, and no zoning by-law has any authority to regulate the minimum floor area of an Additional Residential Unit (ARU). These are the <u>only Sections</u> of the <u>Planning Act</u> that control floor areas for residential dwellings or dwelling units.</p> <p>Under Section 2.62.1 of the Rainy River Zoning By-law, "<i>Additional Residential Unit (ARU)</i>" means a self-contained residential unit [an apartment unit], with its own cooking facilities, sanitary facilities and sleeping area, that either forms part of the same dwelling as the primary residential unit, or is located within an ancillary building on the same lot as the primary residential unit where the lot is of sufficient area to accommodate an expanded or additional leaching field if required by the Chief Building Official.</p>

Provincial Planning Statement, 2024 (PPS) Section 2.2 **Housing** of the PPS states that “*Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents.*”

“**Housing options**” means a range of housing types such as, but not limited to single-detached, semidetached, rowhouses, townhouses, stacked townhouses, multiplexes, **additional residential units** (ARU’s), **tiny homes**, laneway housing, garden suites, rooming houses and multi-residential buildings, including low-and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, **land lease community homes**, **affordable housing**, additional needs housing, multi-generational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or institutional uses, such as long-term care homes.

Official Plan Designation: This Zoning By-law Amendment conforms with the Rainy River Official Plan and creates no changes to the land use mapping designations.

By-Law Purpose: The purpose of this By-law is to provide the ability of ratepayers to reduce the cost of housing by reducing minimum floor area requirements for dwellings in the Zoning By-law.

It is also configured to add land lease community homes as a permitted use in various sections of the Zoning By-law. A land lease community home is a permanent dwelling, not a mobile home, on one lot with year-round municipal road access. The home can be purchased and mortgaged but is assessed and pays taxes on the structure only. The owner of the lot pays taxes on the land only.

ZONING BY-LAW NO. _____

THE CORPORATION OF THE TOWN OF RAINY RIVER

Being a By-law under the provisions of Section 34 of the *Planning Act, R.S.O. 1990*, to amend Zoning By-law No. 1614-15, as amended, of the Corporation of the Town of Rainy River, with respect to reducing the minimum floor area of all single detached dwellings, where permitted, to 18.6 square metres (200 square feet) including every year-round permanent land lease community home, where permitted, within the Residential (R1) and the Rural (Ru) Zones in the Town of Rainy River, Ontario.

WHEREAS THE COUNCIL OF THE CORPORATION OF THE TOWN OF RAINY RIVER has reviewed Zoning By-law No. 1614-15, as amended, and deems it advisable to amend same:

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF RAINY RIVER ENACTS as follows:

1. **THAT** Section 2 **DEFINITIONS** of Zoning By-law No. 1614-15, as amended, is hereby amended by **ADDING** the following new Subsection:
 - 2.58.1 "**Dwelling, Land Lease Community Home**" means a dwelling within the meaning of Section 46 of the *Planning Act*, so designed for permanent occupancy, year-round use, and modular-built or assembled on site to meet the requirements of the *Ontario Building Code* or pre-manufactured and certified to meet CSA A277, the Standard for factory-built dwellings, but does not include a mobile home.
2. **THAT GENERAL PROVISIONS** Section 5.2 of Zoning By-law No. 1614-15, as amended, is hereby amended by revising the Section title to read "**Residential Units / Apartments and Garden Suites**" and by completely deleting the text of Subsection 5.2(a)(ii) and replacing it with the following words:

"One single detached dwelling with a minimum floor area of 18.6 square metres (200 square feet) shall be permitted as an accessory use to any permitted commercial use."
3. **THAT GENERAL PROVISIONS** Subsection 5.2(b) "**Garden Suites**" of Zoning By-law No. 1614-15, as amended, is hereby changed from 33 square metres (350 square feet) to 18.6 square metres (200 square feet).
4. **THAT GENERAL PROVISIONS** Subsection 5.15(d) "**Home Occupations and Home Professions**" of Zoning By-law No. 1614-15, as amended, is hereby changed from 56 square metres (600 square feet) to 18.6 square metres (200 square feet)".

- 5. **THAT GENERAL PROVISIONS** Subsection 5.24(a) **“Replacement of Dwellings Due to Damage”** of Zoning By-law No. 1614-15, as amended, is hereby changed from 56 square metres (600 square feet) to 18.6 square metres (200 square feet).
- 6. **THAT** Subsection 6.1(c) **Residential R1 ZONE “Permitted Uses”** of Zoning By-law No. 1614-15, as amended, is hereby changed by adding “land lease community homes”.
- 7. **THAT** Subsection 10.1(c) **RURAL Ru ZONE “Permitted Uses”** of Zoning By-law No. 1614-15, as amended, is hereby changed by adding “land lease community homes”.
- 8. **THAT** Subsections 10.2(h) and 10.3(h) **RURAL Ru ZONE “Zone Requirements For Residential Uses”** of Zoning By-law No. 1614-15, as amended, are hereby changed from 56 square metres (600 square feet) and 70 square metres (750 square feet) respectively to 18.6 square metres (200 square feet).
- 9. **THAT** this By-law shall come into force on the date it is passed by the Council of the Corporation of the Town of Rainy River subject to the provisions of the *Planning Act, R.S.O. 1990*.

Read a **FIRST TIME** this ____ day of _____, 2026.

Read a **SECOND TIME** this ____ day of _____, 2026.

Read a **THIRD TIME** and **FINALLY PASSED** this ____ day of _____, 2026.

THE CORPORATION OF THE TOWN OF RAINY RIVER

Deborah J. Ewald, Mayor

Shara Lavalley, CAO / Clerk-Treasurer