The Corporation of the Town of South Bruce Peninsula

By-Law Number 42-2016

Being a By-Law to Amend By-Law Number
122-2009, as Amended, Being the
Comprehensive Zoning By-Law for the
Town of South Bruce Peninsula

Whereas the Planning Act, RSO 1990 Section 34 provides for the passing of zoning by-laws;

And whereas in accordance with the Planning Act, RSO 1990, application has been received to change the zoning by-law in respect of premises where child care is provided.

Now therefore the Corporation of the Town of South Bruce Peninsula enacts as follows:

1. That the Town of South Bruce Peninsula Comprehensive Zoning By-Law 122-2009, as amended, is hereby further amended by changing the following definitions in Section 5 (definitions) thereof:
   o The definitions of “Day Nursery” and “Private Home Day Care” are hereby deleted.
   o The following definition of “Child Care” is hereby added:
     "Child Care” means the temporary care for or supervision of a child including providing for a child’s safety, well-being or development, in the absence of the child’s parent and for a continuous period that does not exceed 24 hours, in accordance with the Child Care and Early Years Act, 2014 including any amendments, or its successor, and provided at one of the following:
     i) “Child Care Centre” means a premises operated by a person who is licensed by the province to operate a child care centre at the premises.
     ii) “Home Child Care” means a premises operated at a dwelling by one or more child care provider(s) that are regulated by a home child care agency.
     iii) “Unlicensed Child Care” means child care provided at a premises that is not a “child care centre,” or “home child care,” or a private school within the meaning of the Education Act).
   o The Definition of “Place of Worship” is hereby amended by deleting “nursery school” and inserting “child care” in its place.
2. **That** the Town of South Bruce Peninsula Comprehensive Zoning By-Law 122-2009, as amended, is hereby further amended by changing the following provisions in Section 6.33.7 (Minimum number of parking spaces) thereof:

- "Day Nursery" is deleted and replaced with "Child Care Centre".
- "Private Home Day Care" and its parking requirements are hereby deleted.
- The following provisions for "Home Child Care" and "Unlicensed Child Care" are hereby added below "child care centre":

| Home Child Care | • 6 children or less: requirements for applicable residential dwelling; More than 6 children: 1+ requirements for applicable residential dwelling |
| Unlicensed child care | • 1 space unless premises is a residential dwelling with parking available |

3. **That** the Town of South Bruce Peninsula Comprehensive Zoning By-Law 122-2009 as amended, is hereby further amended by replacing "Day Nursery" or "Day Nursery (Licensed)" as the case may be with "Child Care" in the following sections thereof:

- Section 10.2 Permitted Uses (Unserviced Detached Residential Zone R1A).
- Section 11.2 Permitted Uses (Serviced Detached Residential Zone R1B).
- Section 13.2 Permitted Uses (Low Density Multi Family Residential Zone R3).
- Section 14.2 Permitted Uses (Medium Density Multi Family Residential Zone R4).
- Section 15.2 Permitted Uses (Un-Serviced General Commercial Zone C1A).
- Section 16.2 Permitted Uses (Serviced General Commercial Zone (Wiarton) C1B).
- Section 26.2 Permitted Uses (Institutional Zone I).
- Section 14.5 - R4-14-2007e (Special Provisions: R4 Medium Density Multi Family Residential).
4. That the Town of South Bruce Peninsula Comprehensive Zoning By-Law 122-2009, as amended, is hereby further amended by deleting “Private Home Day Care” in the following sections thereof:
   o Section 11.2 Permitted Uses (Serviced Detached Residential Zone R1B).
   o Section 13.2 Permitted Uses (Low Density Multi Family Residential Zone R3).
   o Section 14.2 Permitted Uses (Medium Density Multi Family Residential Zone R4).

5. That the Town of South Bruce Peninsula Comprehensive Zoning By-Law 122-2009, as amended, is hereby further amended by adding “Home Child Care” and “Unlicensed Child Care in a permitted dwelling” in the following sections thereof:
   o Section 8.2 Permitted Uses (General Rural Zone RU1).
   o Section 9.2 Permitted Uses (Restricted Rural Zone RU2).
   o Section 12.2 Permitted Uses (R2 Resort Residential Zone).

6. That this by-law shall come into force and effect on the final passing thereof by the Council of the Town of South Bruce Peninsula, and in compliance with the provisions of the Planning Act, R.S.O. 1990, as amended, and subject to South Bruce Peninsula Official Plan Amendment 43 coming into force and effect.

Read a first and second time this 17th day of May, 2016.

[Signature]
Mayor

[Signature]
Clerk

Read a third time and finally passed this 17th day of May, 2016.

[Signature]
Mayor

[Signature]
Clerk