

BY-LAW NO: 22-46

BEING A BY-LAW TO AMEND THE TOWNSHIP OF THE NORTH SHORE ZONING BY-LAW #17-07

WHEREAS pursuant to the provisions of Section 34(10) of the Planning Act, R.S.O. 1990, C.P.13 and amendments thereto, Council of the Corporation of the Township of North Shore may amend any by-law passed under this section or a predecessor of this section;

AND WHEREAS Zoning By-law number 17-07 was enacted by the Corporation of the Township of The North Shore to regulate land use within the Municipality

AND WHEREAS the Council of the Corporation of the Township of The North Shore deems it advisable to further amend Zoning By-law number 17-07.

NOW THEREFORE the Council of the Corporation of The Township of The North Shore hereby enacts as follows:

1. Section 3.2 (Definitions) of Zoning By-Law number 17-07, as amended, is hereby further amended by amending various definitions as follows:
 - a) The term “Dwelling – Primary” is hereby added and shall be defined as “Means the largest dwelling unit in which the residential use of the lot is conducted”.
 - b) The term and definition of “Dwelling – Accessory Apartment or Apartment-in-a-House” is hereby deleted.
 - c) The definition of “Dwelling – Multiple Unit” is hereby amended by adding the words “Additional residential units are not included.” following the last sentence.
 - d) The term and definition of “Dwelling – Second Residential Unit” is hereby deleted and replaced with the following term: “Dwelling – Additional Residential Unit(s)” and the following definition: “Means a dwelling unit that is subordinate to the primary dwelling unit on a lot. The presence of an additional residential unit(s) shall not change the type, classification or definition of the primary dwelling (i.e. duplex, townhouse, etc.).”
2. Section 4.1.2 (Accessory Residential Uses) of Zoning By-Law number 17-07, as amended, is hereby further amended by amending the provisions as follows:
 - a) Section 4.1.2.4 is hereby replaced with the following: “A **guest cabin** shall not be permitted on a lot that contains an additional **dwelling unit** within an **accessory** building.”
 - b) Section 4.1.2.5 is hereby added: “An **additional residential unit** shall not be permitted within an **accessory** building on a lot that contains a **guest cabin**”.

- c) Section 4.1.2.6 is hereby added: “**Additional residential unit(s)** shall only be permitted on a lot containing a **detached dwelling unit, semi-detached dwelling unit, duplex dwelling unit rowhouse** or **townhouse dwelling unit**”.
 - d) The footnotes of Section 4.1.2 are hereby amended to add: “See also Section 4.1.14 Additional Residential Units”.
3. Section 4.1.3 (Bed and breakfast Establishments) of Zoning By-Law number 17-07, as amended, is hereby further amended by amending the provisions as follows:
 - a) Section 4.1.3.10 is hereby added: A **bed and breakfast** shall not be permitted within an **additional residential unit**.
4. Section 4.1.8 (Garden Suites) of Zoning By-Law number 17-07, as amended, is hereby further amended by amending the provisions as follows:
 - a) Section 4.1.8.7 is hereby added: A **garden suite** shall not be permitted on a lot that contains an **additional dwelling unit** within an **accessory** building.
5. Section 4.1.14 (Additional Residential Units) of Zoning By-Law number 17-07, as amended, is hereby further amended by adding the provisions as follows:
 - 4.1.14 **Additional Dwelling Unit(s)**
 1. An **additional residential unit** shall only be permitted on a lot containing a detached **dwelling unit**, semi-detached **dwelling unit**, **rowhouse** or **townhouse dwelling unit**;
 2. Where permitted, a maximum of two **additional residential units** may be permitted on a lot in accordance with the uses permitted and applicable zone requirements;
 3. A maximum of two **additional residential units** may be permitted on a lot, such additional residential units may be located as follows:
 4. One **additional residential unit** within the same principal building as the **primary dwelling unit** on the lot and one **additional residential unit** in a detached accessory building located on the same lot as the **primary dwelling unit**; or,
 5. Two **additional residential units** within the same principal building as the **primary dwelling unit** in which case, an **additional residential unit** in a detached accessory building shall not be permitted.
 6. In no case, shall two **additional residential units** be permitted in a detached accessory building.
 7. A principal building on a residential lot that is divided into a primary dwelling unit and an **additional residential unit(s)** shall not constitute any other type of dwelling unit otherwise defined in this By-law.
 8. An **additional residential unit** shall not be permitted within an accessory building on a lot containing a **garden suite** or a **guest cabin**.
 9. An **additional residential unit** shall not be used for a **bed and breakfast**.
 10. The maximum gross floor area of the **additional residential unit** may not exceed 50% of the gross floor area of the **primary dwelling unit**.
 11. An **additional residential unit** in an accessory building is not permitted to have a basement or other habitable living space below grade.

12. An **additional residential unit** in an accessory building shall not be severed from the lot containing the **principal dwelling unit**.
 13. Required off-street parking spaces for **additional dwelling unit(s)** may be arranged in tandem.
 14. Both the **primary dwelling unit** and the **additional residential unit(s)** shall be in compliance with the Ontario Building Code and the Ontario Fire Code.
 15. Where municipal services are available, both the **primary dwelling unit** and the **additional residential unit(s)** must be connected to municipal services. Where municipal services are not available, demonstration must be provided that private water and sewer service is capable of accommodating both the **primary dwelling unit** and the **additional residential unit(s)**.
6. Section 6.1 (R1 Zone, Permitted Uses) of Zoning By-Law number 17-07, as amended, is hereby further amended by amending the provisions as follows:
 - a) Table 6.1 (Accessory Use) is hereby amended to replace “Second Residential Unit” with the following: “Additional Residential Units (See 4.1.14)”.
 7. Section 6.2 (R1 Zone, Zone Regulations) of Zoning By-Law number 17-07, as amended, is hereby further amended by amending the provisions as follows:
 - a) Table 6.2 is hereby amended to replace “Minimum Dwelling Unit Area” with the following: “Minimum Primary Dwelling Area”.
 - b) Table 6.2 is hereby amended to replace “Maximum No. Dwellings Per Lot (excluding a Garden Suite)” with the following: “Maximum Number of Primary Dwellings Per Lot”.
 8. Section 7.1 (R2 Zone, Permitted Uses) of Zoning By-Law number 17-07, as amended, is hereby further amended by amending the provisions as follows:
 - a) Table 7.1 (Accessory Use) is hereby amended to replace “Second Residential Unit to a Row House, Townhouse or Semi Detached Dwelling” with the following: “Additional Residential Unit(s) to a Duplex dwelling, Semi-detached dwelling, Row House and Townhouse (See 4.1.14)”.
 9. Section 7.2 (R2 Zone, Zone Regulations) of Zoning By-Law number 17-07, as amended, is hereby further amended by amending the provisions as follows:
 - a) Table 7.2 is hereby amended to replace “Minimum Dwelling Unit Area” with the following: “Minimum Primary Dwelling Area”.
 - c) Table 7.2 is hereby amended to replace “Minimum Number of Dwellings Per Lot (excluding a Garden Suite)” with the following: “Minimum Number of Primary Dwellings Per Lot”.
 10. Section 8.3 (R3 Zone, Additional Regulations) of Zoning By-Law number 17-07, as amended is hereby further amended by amending the provisions as follows:

- a) 8.3.2 is hereby amended to replace the words “A second residential unit” with the following:
“Additional Residential Units”.
11. Section 9.1 (R4 Zone, Permitted Uses) of Zoning By-Law number 17-07, as amended, is hereby further amended by amending the provisions as follows:
 - a) Table 9.1 (Accessory Use) is hereby amended to add the following: “Additional Residential Units (See 4.1.14)”.
12. Section 9.2 (R4 Zone, Zone Regulations) of Zoning By-Law number 17-07, as amended, is hereby further amended by amending the provisions as follows:
 - a) Table 9.2 is hereby amended to add the words: “or Additional Residential Unit(s)” after the words “Garden Suite” in the first column.
 - b) Table 9.2 is hereby amended to add the word “Primary” between the words “Minimum” and “Dwelling” in the first column.
 - c) Table 9.2 is hereby amended to replace “Minimum Number of Dwellings Per Lot (excluding a Garden Suite)” with the following: “Minimum Number of Primary Dwellings Per Lot”.
12. Section 9.3 (R4 Zone, Additional Regulations) of Zoning By-Law number 17-07, as amended, is hereby further amended by amending the provisions as follows:
 - a) Section 9.3.5 is hereby deleted.
13. Section 4.21.6 (Parking Regulations) of Zoning By-Law number 17-07, as amended, is hereby further amended by amending the provisions as follows:
 - a) Table 4.21 (Schedule for Parking Regulation) is hereby amended to delete the words “Accessory Apartment” in the first column, second row.
 - b) Table 4.21 (Schedule for Parking Regulation) is hereby amended by replacing the words “Second Residential Unit” with the words “Additional Residential Unit” in the first column, third row.
 - c) Table 4.21 (Schedule for Parking Regulation) is hereby amended by adding the following in the second column, third row:
 - 1 parking space per additional residential unit.
 - Parking for an additional residential unit may be provided as a tandem parking space.
14. The Declaration of the Municipal Clerk required under Section 34(22) of the Planning Act, R.S.O. 1990, shall form part of this By-Law and be attached as Schedule “II” when completed;
15. By-Law number 17-07, the Municipal Zoning By-Law is hereby amended;

16. This By-Law shall come into force and take effect on the date of passing, and the short title of this by-law is "Zoning By-Law Amendment #22-46".

READ a First and Second Time this _____ day of _____, 2022.

Tony Moor, Mayor

Rachel Schneider, Clerk

READ a Third and Final Time and Passed by Council this _____ day of _____, 2022.

Tony Moor, Mayor

Rachel Schneider, Clerk