

**AMENDMENT NO. 3**

**TO THE OFFICIAL PLAN OF THE  
TOWNSHIP OF THE NORTH SHORE**



**Additional Residential Units**

**Date: October 19, 2022**



**BY-LAW NO. 22-45**

**A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF THE  
NORTH SHORE TO AMEND THE OFFICIAL PLAN OF THE NORTH  
SHORE**

The Council of the Corporation of the Township of the North Shore, in accordance with the provisions of Sections 16, 17 and 21 of the Planning Act, R.S.O., 1990 hereby enacts as follows:

1. That Amendment No. 3 to the Official Plan of the Township of the North Shore, consisting of the attached Part "B", is hereby adopted.
2. That the Clerk is hereby authorized and directed to make application to the Ministry of Municipal Affairs for approval of Amendment No. 3 to the Official Plan of the Township of the North Shore.
3. That this By-law shall take effect on the date of passage by Council and shall come into force in accordance with Sections 16, 17, and 21 of the *Planning Act*, R.S.O., 1990.

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

\_\_\_\_\_  
Tony Moor, Mayor

\_\_\_\_\_  
Rachel Schneider, Clerk

READ a Third and Final Time and Adopted by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Tony Moor, Mayor

\_\_\_\_\_  
Rachel Schneider, Clerk

## **THE CONSTITUTIONAL STATEMENT**

PART A – THE PREAMBLE, does not constitute part of this Amendment

PART B – THE AMENDMENT, consisting of the following text constitutes Amendment No. 3 to the Official Plan of the Township of the North Shore.

PART C – APPENDIX “A”, does not constitute part of this amendment.

## **PART A – THE PREAMBLE**

PART A to this Official Plan Amendment is provided for information purposes only and does not constitute part of this Amendment.

### **1. Lands Affected by this Amendment**

The lands affected by this amendment include all lands within the jurisdictional limits of the Township of the North Shore located within the “Residential” and “Rural Area” land use designations.

### **2. Purpose**

The purpose of this amendment is for Council to establish policies and requirements for additional residential units in the Township of the North Shore.

Section 16(3) of the Planning Act requires that municipalities include policies in their Official Plans that authorize the use of two residential dwelling units in single detached, semi-detached and row/townhouse dwellings, and the use of a residential unit in a building or structure ancillary to a single detached, semi-detached and row/townhouse dwelling that contains only one dwelling unit. The amendments have been prepared in accordance with the provisions of Sections 17, 21 and, 22 of the Planning Act, R.S.O. 1990, c.P.13, as amended in order to implement the requirements of Section 16(3) of the Planning Act, R.S.O. 1990, c.P.13, as amended.

### **3. Background and Basis**

- 3.1 The Official Plan for the Township of the North Shore was approved, with modifications, by the Ministry of Municipal Affairs on March 27, 2015 and came into effect on April 29, 2015.
- 3.2 On June 6, 2019, Bill 108 the *More Homes, More Choice Act* received royal assent and was enacted. The Act is the foundation for Ontario’s long-term commitment to affordable housing and it includes amendments to the *Planning Act*, which provide municipalities with enhanced land use planning tools to support the creation of additional residential units.
- 3.3 Changes related to additional residential units were proclaimed into force on September 3, 2019. On August 29, 2019, O. Reg 299/19 came into force. This regulation specifies that each additional residential unit is to have one parking space for the sole use of the occupant of the additional residential unit unless a parking space is not required for the occupant of the primary residential unit. This regulation also specifies that a required parking space may be a tandem space.

- 3.4 A review of the existing policies in the Township of the North Shore Official Plan indicate that amendments are required to comply with the changes to the *Planning Act*, to permit additional residential units within the “Residential” and “Rural Area” Designations.
- 3.5 The proposed policy changes will enhance and support the goals and objectives of the Township of the North Official Plan as it relates to the promotion of affordable and attainable housing, housing options and intensification.
- 3.6 A draft Zoning By-law amendment application is being processed concurrently with the Official Plan amendment to implement this policy direction and permit additional residential units specifically within the Residential Single Detach One (R1), Residential Multiple (R2) and Recreational Residential (R4) Zones; provide a definition of “Additional Residential Units”; amend the parking requirements for additional residential units, and amend other zoning provisions and general provisions that pertain to additional residential units.
- 3.7 The proposed revisions are consistent with the applicable policies and direction of the Provincial Policy Statement, 2020.

## PART B - THE AMENDMENT

### 1. Introductory Statement

All of this part of the document entitled PART B – THE AMENDMENT, consisting of the following text constitutes Amendment No. 3 to the Official Plan of the Township of the North Shore.

### 2. Details of the Amendment

2.1 Section **3.2.1 b) Permitted Uses (Residential)** is hereby deleted in its entirety and replaced with the following:

- b) Additional Residential Units within single-detached houses, semi-detached houses, or rowhouses, and/or accessory building ancillary to a detached house, semi-detached house or rowhouse are permitted subject to subsection 3.2.2(i);

2.2 Section **3.2.2 (i) Policies (Residential)** is hereby deleted in its entirety and replaced with the following:

3.2.2(i) A maximum of two additional residential unit(s) are permitted on a residential lot containing a detached dwelling, semi-detached dwelling, or rowhouse dwelling.

- i) Such additional residential unit(s) may be located within the main residential building on the lot within which the primary dwelling unit is located and/or within a detached accessory building that is ancillary to the primary dwelling unit on the lot;
- ii) Only one additional dwelling unit may be permitted in a detached accessory building;
- iii) The additional residential unit(s) must be located on the same lot as the primary dwelling unit and must be subordinate in scale and function to the primary dwelling unit;
- iv) Adequate potable water and wastewater services must be available to accommodate the additional residential unit(s);
- v) A detached accessory building containing an additional dwelling unit shall not be severed from the lot containing the primary dwelling unit;
- vi) A garden suite shall not be permitted on a lot that contains an additional residential unit in a detached accessory building;
- vii) Additional dwelling units shall not be used as a bed and breakfast establishment;
- viii) Additional dwelling units shall not be permitted in locations that pose a risk to human health and safety or environmental integrity.

2.3 Section **3.7.1 Permitted Uses (Rural Area)** is hereby amended by adding the words “additional dwelling units” after the words “single detached dwellings”.

2.4 Section **3.7.2 (d) Policies (Rural Area)** is hereby deleted in its entirety and replaced with the following:

3.7.2 (d) A maximum of two additional residential unit(s) are permitted on a residential lot containing a single detached dwelling.

- i) Such additional residential unit(s) may be located within the main residential building on the lot within which the primary dwelling unit is located and/or within a detached accessory building that is ancillary to the primary dwelling unit on the lot;
- ii) Only one additional dwelling unit may be permitted in a detached accessory building;
- iii) The additional residential unit(s) must be located on the same lot as the primary dwelling unit and must be subordinate in scale and function to the primary dwelling unit;
- iv) Adequate potable water and wastewater services must be available to accommodate the additional residential unit(s);
- v) A detached accessory building containing an additional dwelling unit shall not be severed from the lot containing the primary dwelling unit;
- vi) A garden suite shall not be permitted on a lot that contains an additional residential unit in a detached accessory building;
- vii) Additional dwelling units shall not be used as a bed and breakfast establishment;
- viii) Additional dwelling units shall not be permitted in locations that pose a risk to human health and safety or environmental integrity.

2.5 Section **4.3.2 a)vi) Policies** is hereby amended by replacing the words “second units within dwellings” with “additional dwelling units”.

2.6 Section **4.23.1 Policies** is hereby amended by adding a new subsection after Section 4.23.1 (b):

- c) Bed and Breakfast Establishments shall not be permitted within additional dwelling units.

2.7 Section **4.25.1 Policies** is hereby amended by the following:

Sections 4.25.1 (b) and 4.25.1 (d) are hereby deleted in their entirety and the remaining subsections are renumbered accordingly.

### **3. Implementation**

The provisions of this Amendment shall be implemented through the Comprehensive Zoning By-law by the draft zoning By-law Amendment attached as APPENDIX “A”.

### **4. Interpretation**

The interpretation of the Official Plan for the Township of the North Shore, as amended, shall govern the interpretation of this Amendment.

## APPENDIX A

### **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".